

**CITY OF SAN ANTONIO**  
**Zoning Commission Agenda**

Cliff Morton Development and Business Services Center  
1901 S. Alamo Street  
First Floor

**July 21, 2009**  
**Tuesday, 12:45 PM**

**ZONING COMMISSIONERS**

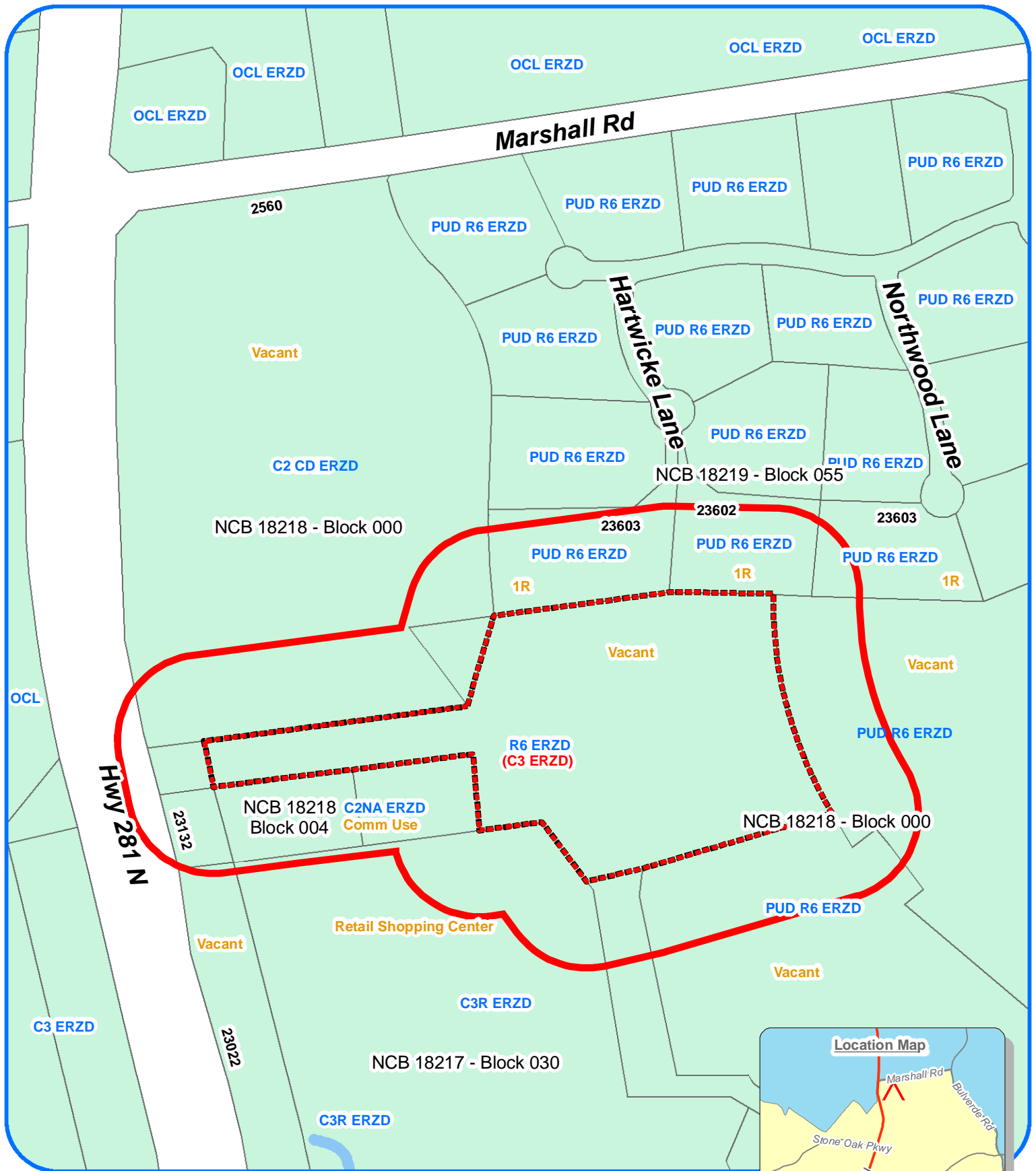
Michael Westheimer – District 1	Vacant – District 7
Barbara Hawkins – District 2	Ramiro Valadez, III – District 8
Jim Myers – District 4	Susan Wright – District 9
Joe Valadez – District 5	Milton R. McFarland – District 10
Christopher Martinez – District 6	James Gray – District Mayor
Don Gadberry – District 3	
Chairman	

1. **12:45 P.M. Tobin Room** - Work Session on related items and discussion of policies and administrative procedures and any items for consideration on the agenda for July 21, 2009.
2. 1:00 P.M. Board Room– Call to Order
3. Roll Call.
4. Pledge of Allegiance.
5. Approval of July 7, 2009 Zoning Commission Minutes.
6. **ZONING CASE NUMBER Z2009117 - PULLED:** A request for a change in zoning from “C-2” Commercial District to “MF-18” Multi-Family District on Lot 62, Block 1, NCB 16283, 14815 Judson Road. (Council District 10)
7. **ZONING CASE NUMBER Z2008064 ERZD:** A request for a change in zoning from “R-6” ERZD Residential Single Family Edwards Recharge Zone District to “C-3” ERZD General Commercial Edwards Recharge Zone District on Parcel 25A and Parcel 27, NCB 18218, save and except 0.4592 acres out of NCB 18218, 23000 Block of US Highway 281 North. (Council District 9)
8. **ZONING CASE NUMBER Z2009076 ERZD:** A request for a change in zoning from “NP-10 ERZD MLOD-1” Neighborhood Preservation Edwards Recharge Zone Camp Bullis Military Lighting Overlay District-1 and “QD S ERZD MLOD-1” Quarry Edwards Recharge Zone Camp Bullis Military Lighting Overlay District-1 with a Specific Use Authorization for Blasting to “MPCD ERZD MLOD-1” Master Planned Community Edwards Recharge Zone Camp Bullis Military Lighting Overlay District-1 on 389.53 acres out of NCB 19221, 19101 North US Highway 281 and 19300 Classen Crest. (Council District 9)

9. **ZONING CASE NUMBER Z2009101 S ERZD:** A request for a change in zoning from “C-2 ERZD” Commercial Edwards Recharge Zone District to “C-2 ERZD S” Commercial Edwards Recharge Zone District with a Specific Use Authorization to allow a bar/tavern on 0.0509 of an acre out of NCB 18218, 3111 TPC Parkway, #106. (Council District 9)
10. **ZONING CASE NUMBER Z2009118 S:** A request for a change in zoning from “C-2 GC-1 MLOD-1” Commercial Hill Country Gateway Corridor Military Lighting Overlay District-1 to “C-2 S GC-1 MLOD-1” Commercial Hill Country Gateway Corridor Military Lighting Overlay District-1 with a Specific Use Authorization for a Hotel on 1.27 acres out of Lot 131, Block 1, NCB 18338, a portion of 23119 IH 10 West. (Council District 8)
11. **ZONING CASE NUMBER Z2009119:** A request for a change in zoning from “MF-33” Multi- Family District to “C-2” Commercial District on Lot 281, NCB 6185, 110 Pendleton. (Council District 5)
12. **ZONING CASE NUMBER Z2009120:** A request for a change in zoning from “I-1” Light Industrial District to “C-3” General Commercial District on .07 of an acre out of Lot 3, Block 5, NCB 18575, 7824 Mainland Drive. (Council District 7)
13. **ZONING CASE NUMBER Z2009121:** A request for a change in zoning from “R-6” Residential Single Family District to “C-2NA” Commercial, Nonalcoholic Sales District on Lot 42, Block 1, NCB 16464, 14207 Higgins Road. (Council District 10)
14. Director’s Report – No issue to report.
15. Executive Session: consultation on attorney-client matters (real estate, litigation, personnel and security matters) as well as any of the above agenda items may be discussed.
16. **ADJOURNMENT**

**Accessibility Statement**

This meeting is wheelchair accessible. Accessible entrances are located at the front and side of the building at 1901 South Alamo Street. Accessible parking spaces are located at the front and rear of the building. **Auxiliary Aids and Services are available upon request (Interpreters for the Deaf must be requested forty-eight [48] hours prior to the meeting).** For Assistance, Call (210) 207-7245 Voice/TTY.



## Zoning Case Notification Plan

### Case Z-2008-064 ERZD

Council District 9

Scale: 1" approx. = 300'

Subject Property Legal Description(s): A Portion of Parcels P-25A and P-27 - NCB 18218 - Block 000

#### Legend

- Subject Property (10.6788 Acres) -----
- 200' Notification Buffer —————
- Current Zoning R6
- Requested Zoning Change (R6)
- 100-Year FEMA Floodplain —————



City of San Antonio - Development Services Dept  
(12/20/2007)

# CASE NO: Z2008064 ERZD

## Final Staff Recommendation - Zoning Commission

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**Date:** July 21, 2009      Zoning Commission continuance (Applicant's Request from June 16, 2009 and July 7, 2009 (Applicant's Request)).

**Council District:** 9

**Ferguson Map:** 483 E3

**Applicant Name:**      **Owner Name:**

Brown & Ortiz, P. C. Attorneys at Law      S & A Management, LLC

**Zoning Request:** From "R-6" ERZD Residential Single Family Edwards Recharge Zone District to "C-3" ERZD General Commercial Edwards Recharge Zone District.

**Property Location:** Parcel 25A and Parcel 27, NCB 18218, save and except 0.4592 acres out of NCB 18218

23000 Block of US Highway 281 North

Southeast of the intersection of Marshall Road and Highway 281 North

**Proposal:** To allow commercial development

**Neigh. Assoc.** None

**Neigh. Plan** None

**TIA Statement:** A Traffic Impact Analysis will be required at platting or permitting

### Staff Recommendation:

Approval

The subject property consists of undeveloped land with frontage on Highway 281 North (a freeway). The property is adjacent to C-2 and R-6 zoning to the north, C-2, C-3 and R-6 zoning to the south, Highway 281 North to the west and R-6 zoning to the east. The surrounding land uses consist of vacant land and the Winchester Hills Subdivision to the north; vacant land and a retail shopping center to the south; Highway 281 North to the west and North Pointe Subdivision (currently under construction) to the east. The property directly to the northwest, which is located at 2560 Marshall Road was recently the subject of rezoning case (Z2008038) in which the applicant was granted a zoning change from R-6 ERZD Residential Single Family Edwards Recharge Zone District and C-2 ERZD Commercial Edwards Recharge Zone District to C-2 CD ERZD Commercial Edwards Recharge Zone District with a Conditional Use for an Indoor Theater Permitting Over 2 but not exceeding 4 Screens and/or Stages.

The applicant is requesting this zoning change to allow the development of a hotel. Staff finds the request for commercial zoning to be appropriate given the subject property's location along a freeway and the prevalence of commercial zoning to the north and south. C-3 zoning is most appropriate at the intersections of major thoroughfares, arterials, commercial nodes, or along freeway frontages; the access to this parcel is one block removed from the intersection of Highway 281 North and Marshall Road, a Secondary Arterial "Type A" street as identified in the City of San Antonio Major Thoroughfare Plan. Furthermore, commercial zoning would provide opportunities for service and retail uses that would compliment and serve the extensive neighboring residential developments in the immediate area. A Type C (15 foot) landscape buffer will be required along the north, east and southeast property lines adjacent to residential zoning and uses.

### SAWS Summary:

1. SAWS staff recommends approval of the proposed land use.

# **CASE NO: Z2008064 ERZD**

## **Final Staff Recommendation - Zoning Commission**

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- 2. The property is classified as a Category 2 property.
- 3. SAWS recommends a maximum impervious cover of 50%.

**CASE MANAGER :** Brenda Valadez 207-7945

DEVELOPMENT SERVICES  
RECEIVED

**SAN ANTONIO WATER SYSTEM**  
Interdepartmental Correspondence Sheet

2009 MAY 28 AM 10:04

**To:** Zoning Commission Members

**From:** Kirk M. Nixon, Manager, Resource Protection Division, San Antonio Water System

**Copies To:** Scott R. Halty, Director, Resource Protection & Compliance Department, Patricia M. Garza, Environmental Protection Specialist III, Aquifer Protection & Evaluation Section, File

**Subject:** Zoning Case Z2008064 (Commercial Development)

**Date:** May 27, 2009

## SUMMARY

A request for a change in zoning has been made for an approximate 11.2268-acre tract located on the city's north side. A change in zoning from **R-6 ERZD** to **C-3 ERZD** is being requested by the applicant, Brown, P.C., by Mr. Kenneth W. Brown. The change in zoning has been requested to allow for a hotel/motel development.

As of the date of this report, an official request for a site specific category determination or an official request for a "substantial alteration" determination has not been received by the Aquifer Protection & Evaluation Division. Based on the information provided, this property is a Category 2 property and shall be developed in accordance with all the provisions stated in Ordinance No. 81491 governing development on the Edwards Aquifer Recharge Zone. However, if the appropriate information is provided to the Aquifer Protection & Evaluation Section, this property may be determined to be a Category 1 property. If the property is determined to be a Category 1 property, staff recommends that the owner/operator use criteria outlined in Section 34-970 "Best Management Practices".

Based on the site evaluation of the property, and the information submitted by the applicant, SAWS staff recommends **approval** of the proposed land use. Should the city council rezone the property that is the subject of this report, the San Antonio Water System recommends that any development on that property after the zoning classification has been changed should be restricted as stated in the environmental recommendations section of this report.

## LOCATION

The subject property is located in City Council District 9, off of Hwy 281 North between Marshall Road to the North and Stone Oak to the South. The entire tract lies within the Edwards Aquifer Recharge Zone. (Figures 1 and 2).

## SITE EVALUATION

### 1. Development Description:

The proposed change is from R-6 ERZD to C-3 ERZD and will allow for the construction of a hotel development. Currently the site is covered in native vegetation and undeveloped.

### 2. Surrounding Land Uses:

Winchester Hills Subdivision is located to the north of the subject property. To the south and east of the subject property construction has started for the North Pointe Subdivision. Highway 281 bounds the west side of the property.

### 3. Water Pollution Abatement Plan:

The 11.686 Acre Tract Water Pollution Abatement Plan (WPAP) was approved by the Texas Commission on Environmental Quality (TCEQ) on July 11, 2008. According to the geologic assessment in the WPAP, there are no sensitive geologic features located on the site.

### 4. Geologic Conditions:

The Resource Protection Division of the San Antonio Water System conducted a site evaluation on November 27, 2007, and again on May 19, 2008, to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS Environmental Geologist, Mr. Bruce Keels, P.G., was present during the site evaluation.

The subject site was observed as a moderately to heavily vegetated parcel, approximately 16.433 acres in area. The entire subject site was observed to be undeveloped. Moderate exposure of bedrock was observed throughout the subject site. The exposed soil and bedrock were moderately obscured by placement of significant quantities of imported fill material.

Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site is underlain by the Basal Nodular member of the Edwards and Lower Confining Unit Glen Rose Formation. Visual confirmation of this determination could not be done due to the placement of significant quantities of imported fill material throughout the subject site.

The Lower Confining Unit Glen Rose Formation is characterized by the presence of thinly bedded limestone and marl with relatively low porosity and permeability. This member is approximately 350 to 500 feet thick. This formation is the lower confining unit of the Edwards Aquifer.

The subject site was reported to be transected by an inferred fault along the northwest corner of the subject site. No visual evidence of this fault was observed on the subject site.

## **ENVIRONMENTAL CONCERNS**

The environmental concerns associated with this development being constructed on the Edwards Aquifer Recharge Zone are:

### **General Concerns**

1. The improper use of pesticides, herbicides, or fertilizers needed for landscape maintenance that may be carried off in the first flush of stormwater run-off.
2. The build-up of hydrocarbons and other pollutants on streets, parking lots and other paved areas that are then carried off in the first flush of stormwater run-off.

## **ENVIRONMENTAL RECOMMENDATIONS**

The following recommendations address the environmental concerns raised by the construction of this development on the Edwards Aquifer Recharge Zone:

### **Site Specific Recommendations**

1. The applicant agrees not to exceed 50% impervious cover for the entire site.
2. The SAWS recommendation of 50% maximum impervious cover is based on the existing R-6 zoning of the subject property. R-6 zoning was commonly used by San Antonio as a default zoning for annexed properties that were not developed at the time of annexation. The subject property is currently a Category 2, determined by SAWS and as such, under the Water Quality Ordinance No. 81491, would be entitled to 65% impervious cover. Given that the property did not require zoning prior to annexation and using Ordinance No. 81491 as a guide, SAWS worked with the applicant to achieve an impervious cover recommendation that addresses water quality protection.
3. The land uses within the zoned areas shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at that site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as prohibited, that land use will not be permitted on that site.
4. The owner of all water pollution abatement structures shall be responsible for properly maintaining the basin and that it is kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Resource Protection Division of SAWS.



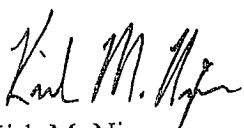
5. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S.D.A, shall be used.
6. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 233-3564 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3520.
7. If any sensitive geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3520.

#### **General Recommendations**

1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Resource Protection Division of the San Antonio Water System.
2. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
  - A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,
  - B. A set of site specific plans which must have a signed Engineers Seal from Texas,
  - C. A WPAP approval letter from the Texas Commission on Environmental Quality (TCEQ),
  - D. A copy of the approved Water Pollution Abatement Plan.
3. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
4. If a water quality basin is constructed on the property, the following is required:
  - A. Below grade basins will not be allowed on the property.

- B. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 233-3520 to schedule a site inspection.
  - C. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 233-3520 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.
  - D. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 233-3564 prior to any discharge of water.
  - E. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule agreement, from the new owner, must be submitted to the Resource Protection Division.
5. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
6. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

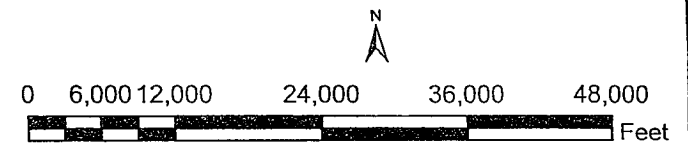
Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the subject property.

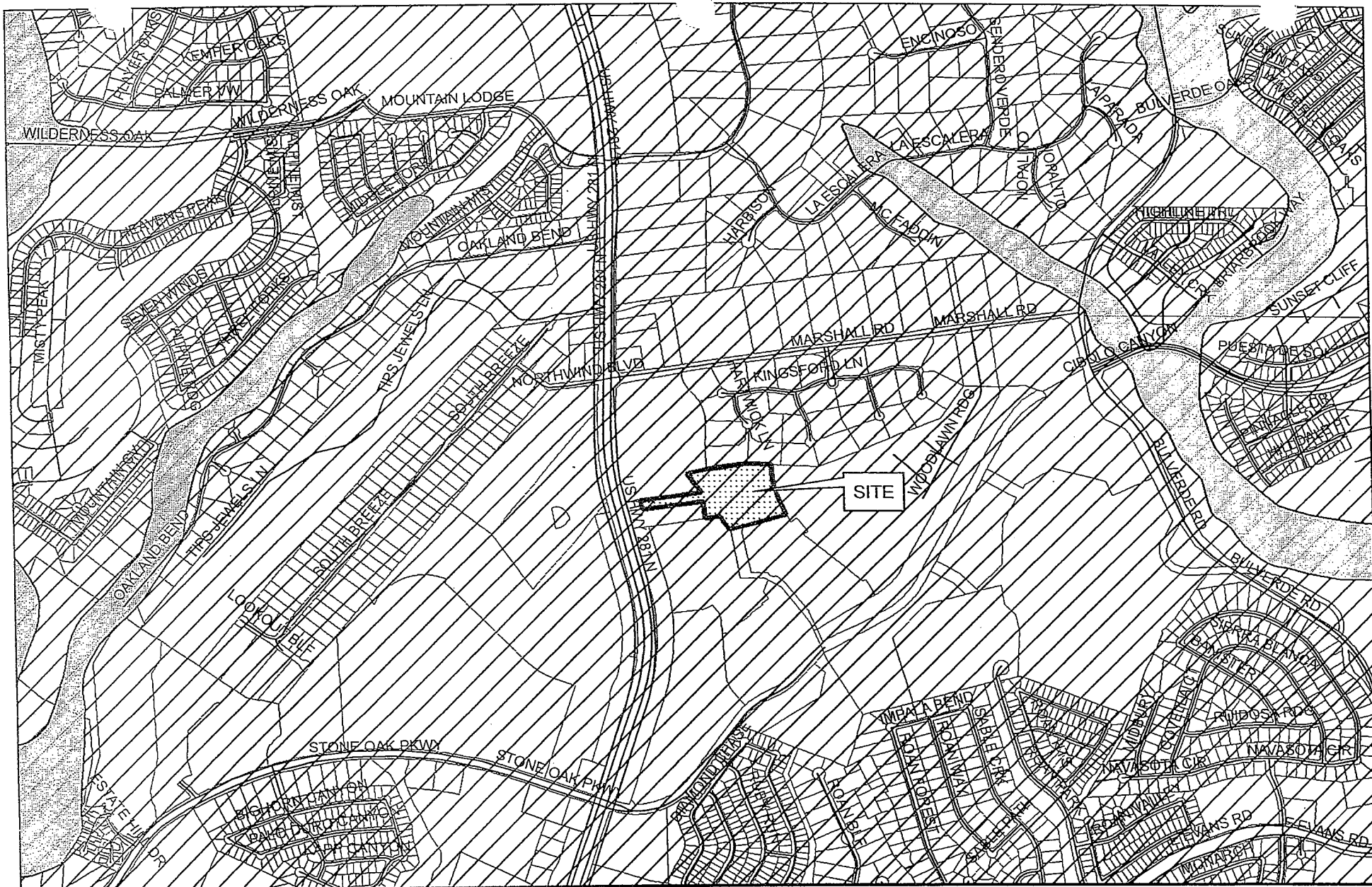
  
Kirk M. Nixon  
Manager  
Resource Protection Division

APPROVED:



Scott R. Halty  
Director,  
Resource Protection & Compliance Department





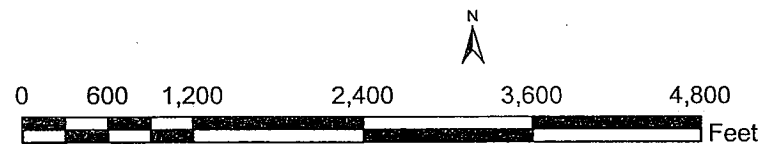
ZONING CASE: NCB 18218

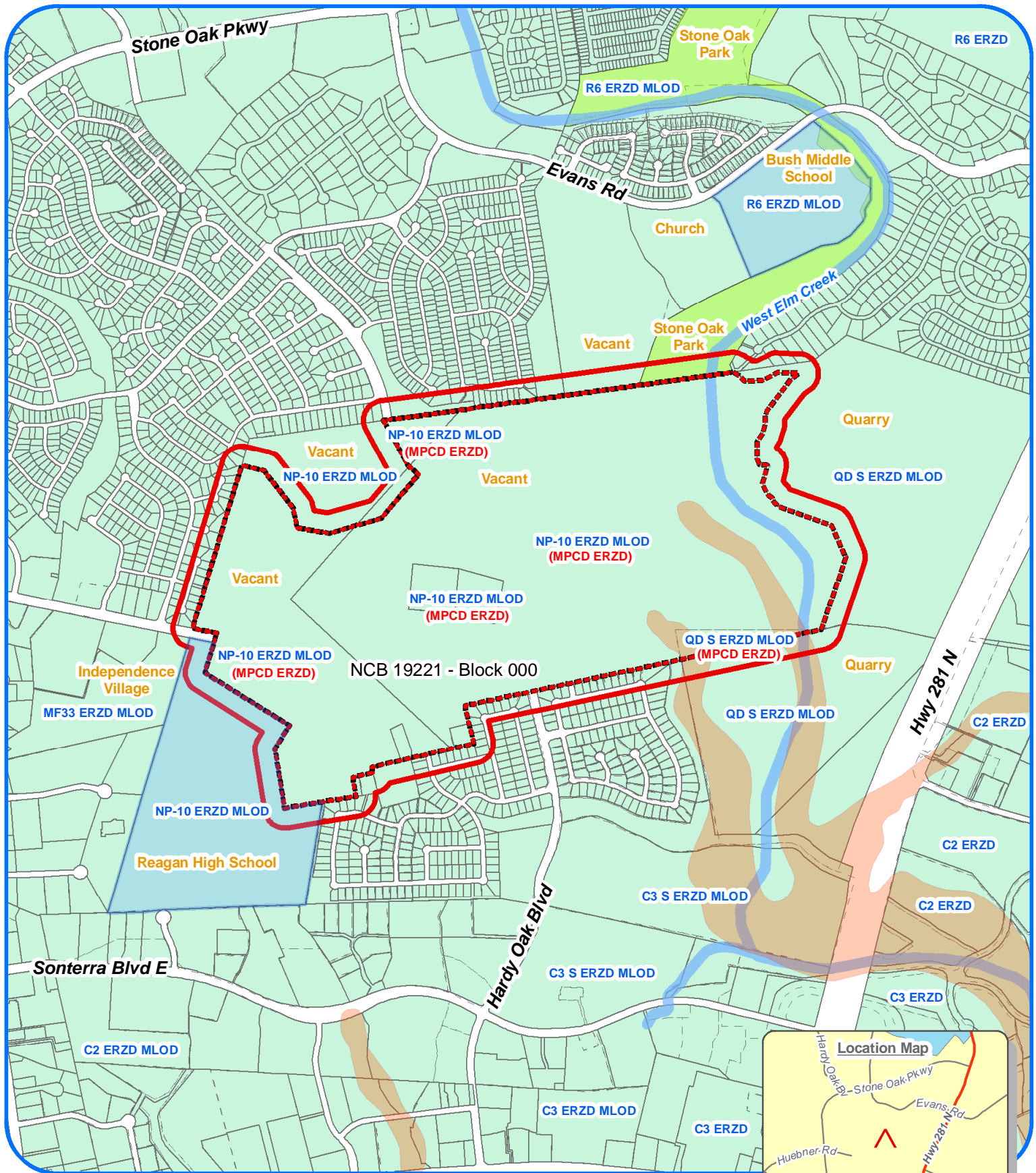
FIGURE 2

ZONING CASE ID: Z2008064

MAP PAGE: 483 E3 X=2144348 Y=13707123

Map Prepared by Aquifer Protection & Evaluation PMG 1/4/08





## Zoning Case Notification Plan

### Case Z-2009-076

Council District 9

Scale: 1" approx. = 1/4 Mile

Subject Property Legal Description(s): NCB 19221 - Block 000

Parcels P-1, P-2, P-1A, P-2A, P-1C, P-3B (Cemetery), P-19, P-19A, P-20, P-20A, P-22

#### Legend

Subject Property (389.53 Acres)

200' Notification Buffer

Current Zoning

R6

Requested Zoning Change

(R6)

100-Year FEMA Floodplain



**Note: Property is within 5 Mile Military Awareness Zone**

Planning & Development Services Dept  
City of San Antonio  
(05/14/2009 - E Hart)

# CASE NO: Z2009076 ERZD

## Final Staff Recommendation - Zoning Commission

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**Date:** July 21, 2009  
**Council District:** 9  
**Ferguson Map:** 483 A7,B7

Postponed by applicant on May 28, 2009. Zoning Commission continuance (Commissioner's Request) from June 16, 2009 and July 7, 2009 (Applicant's Request)

**Applicant Name:** Brown & Ortiz, P. C.  
**Owner Name:** Steubing Ranch Ltd. Partnership and David K. & Darlene Danue

**Zoning Request:** From "NP-10 ERZD MLOD-1" Neighborhood Preservation Edwards Recharge Zone Camp Bullis Military Lighting Overlay District-1 and "QD S ERZD MLOD-1" Quarry Edwards Recharge Zone Camp Bullis Military Lighting Overlay District-1 with a Specific Use Authorization for Blasting to "MPCD ERZD MLOD-1" Master Planned Community Edwards Recharge Zone Camp Bullis Military Lighting Overlay District-1.

**Property Location:** 389.53 acres out of NCB 19221  
19101 North US Highway 281 and 19300 Classen Crest  
Area generally bound by the terminus of Hardy Oak to the north, the terminus of Huebner Road to west, the terminus of Hardy Oak to the south and North US Highway 281 to the east

**Proposal:** To allow for mixed use development

**Neigh. Assoc.** Multiple Neighborhood Associations are within 200 feet

**Neigh. Plan** None

**TIA Statement:** A Planning Level Traffic Impact Analysis has been submitted.

### Staff Recommendation:

Denial

The Master Planned Community zoning district is encouraged when properties consist of large acreages and are intended for mixed land uses within a comprehensive development. This district is a special district that promotes compatibility within mixed use developments, allowing a more efficient arrangement of land uses, structures and inner-connectivity, characteristics that may be difficult to achieve when adjacent lands are zoned and developed independent of each other.

The project site, known as Steubing Ranch and consisting of about 389 acres, was annexed in December 1997 and zoned "R-A" Residence Agricultural District in January 1998 (Ord. 87259.) A small portion of the subject property was rezoned to "QD CC ERZD" Quarry Edwards Recharge Zone District with City Council approval for Blasting in November 1998 (Ord. 88788.) Upon adoption of the 2001 Unified Development Code, the existing zoning districts converted to "NP-10 ERZD" Neighborhood Preservation Edwards Recharge Zone District and "QD S ERZD" Quarry Edwards Recharge Zone District with a Specific Use Authorization for Blasting. The "MLOD-1" Camp Bullis Military Lighting Overlay District was applied to the subject property on April 2, 2009. Most of this acreage is undeveloped with the exception of family residences and a family cemetery.

Property to the north is zoned multiple residential districts, including R-5, R-6, MF-33, and PUD R-6. Property to the south of the subject property is zoned NP-10 and property immediately to the west is zoned R-6. Property to the east is zoned "QD S" Quarry District with a Specific Use Authorization for Blasting. All properties in the surrounding area are within the Edwards Recharge Zone and the Camp Bullis Military



# CASE NO: Z2009076 ERZD

## Final Staff Recommendation - Zoning Commission

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### Lighting Overlay District-1.

There is a significant amount of single family residential development to the north, west and south of the subject property. Ronald Reagan High School is located southwest of the subject property and has primary access to East Sonterra Boulevard and secondary access at the existing terminus of Huebner Road. Stone Oak Park is located northeast of the subject property along West Elm Creek. The property directly to the east is an active quarry, with access to Highway 281 South. Huebner Road, a Secondary Arterial Type A, provides direct access to Stone Oak Parkway, while Hardy Oak, also a Secondary Arterial Type A, provides connectivity to Loop 1604. The streets within the actual development may be either public or private.

The applicant has submitted the required MPCD site plan with the zoning application. As the site plan is a component of the MPCD zoning district, the City Council must also consider and take action on the site plan. Language that reflects a mandatory adherence to the site plan must be contained in the zoning ordinance. The minimum requirements of a site plan are that proposed land uses, including single and multi-family residential uses, office uses and commercial uses must be identified on the plan by location, type, density and size. Should an applicant request an amendment to an approved MPCD site plan, they may do so administratively if the city determines the amendment is a minor one. Should the amendment be a major one, the criteria being listed in Section 35-345(e)(2) of the Unified Development Code, the proposed amendment must be returned to the Zoning Commission and City Council for recommendation and approval.

The MPCD allows uses permitted in all residential, office and commercial zoning districts as illustrated in the site plan. The proposed development is to consist of about 152.22 acres of office and commercial uses, with 59.53 acres of single-family residential uses. Approximately 155.63 acres of the subject property will be designated as open space. The amount of open space is determined, by percentage, based on the acreage of residential and non-residential land uses. Most of the non-residential uses will be located along the frontages and at the intersection of the proposed extensions of Hardy Oak Boulevard and Huebner Road. The majority of the single-family residential uses will be oriented along the west side of the proposed extension of Hardy Oak Boulevard, north of the proposed Huebner Road extension. The remaining single-family residential uses are located at the southwest quadrant of the subject property and may continue to be used by Steubing Ranch as the family residence.

Staff has significant concerns over the lack of an appropriate balance of commercial and residential uses within the site plan. The MPCD site plan does not indicate areas proposed for mixed uses, which are encouraged within an MPCD to promote compatibility between uses and inner-connectivity. The site plan indicates that a high concentration of commercial uses will be located west of the proposed extension of Hardy Oak and south of the proposed extension of Huebner Road, surrounded by multiple established single-family neighborhoods and Ronald Reagan High School. The proposed site plan would allow commercial encroachment into existing residential neighborhoods and would push commercial development further west away from Highway 281 North. There are also significant flood plain issues on the subject property, which could impede future development.

In addition to compatibility of uses, staff has concerns with the lack of connectivity to major thoroughfares. There are currently no major thoroughfares or streets running through the property. The developer of the Steubing Ranch property will be required to build thoroughfares in accordance with the City of San Antonio Major Thoroughfare Plan. If allowed to build according to the site plan, Hardy Oak would extend to the northern property line of the subject property and would end in a turn around. Hardy Oak would not connect to Knight's Cross unless the paper street between the Steubing Ranch property line and Knight's Cross is built out by the City of San Antonio. If allowed to build according to the site plan, Huebner Road would extend to the southeast property line of the subject property and would end in a turn around. Huebner Road would not connect to Highway 281 North until the existing quarry ceases operations and is developed in accordance with the major thoroughfare plan. Commercial uses are most appropriate along the frontage of highways or at the intersections of major thoroughfares; consequently allowing land uses that rely on a high traffic count and major visibility in order to remain viable. Until connectivity to Knight's Cross and Highway 281 North are achieved, commercial traffic will bleed into abutting residential neighborhoods.

Given the subject property's proximity to both the residential uses and zoning districts to the north, east and

# CASE NO: Z2009076 ERZD

## Final Staff Recommendation - Zoning Commission

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south; as well as the lack of an efficient arrangement of land uses, structures and inner-connectivity, and lack of connectivity to Highway 281 North and Knight's Cross, staff believes that the submitted MPCD zoning site plan is inappropriate for the subject property.

Staff believes an MPCD zoning designation is appropriate for the subject property; however, the site plan as submitted does not depict the best mix of uses for the neighborhood. However, staff may consider approval of the zoning request if changes are made to the site plan that will reflect one of the following suggestions:

1. Identify a mixed use land use category and locate the mixed uses as a transition between the existing residential neighborhoods and more intense commercial uses to the east toward Highway 281 North.
2. Provide a ratio of multifamily to commercial uses within the areas currently identified as commercial that is more compatible with the existing neighborhoods.

The subject property is located within the Camp Bullis Awareness Zone/ Military Influence Area. In accordance with the signed Memorandum of Understanding between Fort Sam Houston and the City of San Antonio, Staff provided the Military with a copy of the rezoning request for review and comment. The Military's concerns on this proposed development's compatibility with the Camp Bullis installation would be addressed if:

1. The developer provide appropriate documentation of recent endangered species surveys (not older than three years) conducted by a professional biological consultant using IAW USFWS protocols showing no endangered species occupy the subject property.
2. The developer sends the surveys described in #1 above to US Fish and Wildlife Service Ecological Services Office in Austin.
3. The developer commits to comply with dark sky lighting requirements in the City's Military Light Overlay District regardless of whether they are grandfathered.

### SAWS Summary

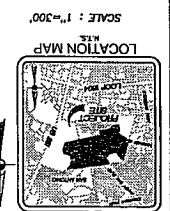
1. SAWS recommends approval of the proposed land use.
2. SAWS currently identifies the subject property as a Category 2 property.
3. SAWS does not have an impervious cover recommendation for the subject property, however, they recommend a maximum impervious cover of 43.2% for the entire site - 651 acres as described in the approved Steubing Ranch Master Development Plan.

**CASE MANAGER :** Leslie Zavala 207-0215



SHEET \_\_\_\_\_  
CHECKED BY W. DRAHNS WLD  
DESIGNER LKO  
DATE DECEMBER 2008  
JOB NO. ZTC-00

**PAPER-DAWSON  
ENGINEERS**

[illegible]



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
US ARMY INSTALLATION MANAGEMENT COMMAND  
HEADQUARTERS, UNITED STATES ARMY GARRISON, FORT SAM HOUSTON  
1206 STANLEY ROAD SUITE A  
FORT SAM HOUSTON, TX 78234-5001

SEP 18 2008

Office of the Commander

T.C. Broadnax,  
Assistant City Manager and Interim Director  
Planning and Community Development  
City of San Antonio  
P.O. Box 839966  
San Antonio, Texas 78283-3966

Robert Murdock, Brig. Gen. USAF (Ret.)  
Director, Office of Military Affairs  
City of San Antonio  
PO Box 839966  
San Antonio, Texas 78283-3966

Dear Mr. Broadnax and Mr. Murdock,

Thank you for the opportunity to respond to your staff's September 10, 2008, notification on Master Development Plan number 024-08 a 651 acre development (also referred to as Steubing Ranch) adjoining U.S. Highway 281, North of Loop 1604, and less than 3 miles east of Camp Bullis. We provide the following comments.

We recommend that measures be incorporated to sufficiently protect the Edwards Aquifer and karst features which may be inhabited by endangered species. These species are indicator species for the health of the aquifer. This tract is located in the Edwards Aquifer Recharge Zone. The Draft Bexar County Karst Invertebrates Recovery Plan (US Fish & wildlife Service, March 2008) discusses the Stone Oak Karst Faunal Area (KFA) within which the Steubing Ranch tract is located. See enclosed map from which it appears that the majority of the tract is within karst zone 1, with the remainder in karst zone 2 of the Stone Oak KFA. Zone 1 areas are known to contain listed invertebrate karst species. Zone 2 areas have a high probability of containing habitat suitable for listed invertebrate karst species. If many of the areas identified by US Fish & Wildlife Service (USFWS) in their March 2008 Draft Karst Invertebrate Recovery Plan for Bexar County are developed, then further restrictions may be placed on Camp Bullis' caves and karst features in order for the region to still meet species recovery goals. Thus karst issues off-post may affect training restrictions on-post.

Developing this tract may displace endangered species onto Camp Bullis. Surveys of golden-cheeked warblers, a federally listed endangered species, have shown a 50% increase on Camp Bullis in the past 5 years. We believe this is caused by the large-scale clear-cutting of oak and juniper trees within 5 miles of Camp Bullis. Increased populations on Camp Bullis trigger further Endangered Species Act restrictions on military training. About 10,000 of the 28,000 acres of Camp Bullis are potential habitat (3,300 acres are currently occupied habitat, and this increases as displacement occurs and increases the restrictions on our field training).



We believe that any development within 5 miles of Camp Bullis which involves substantial clear-cutting of thick stands of old growth juniper and oak trees should be preceded by an endangered species survey, as was done by the RIM developers this year for the 106 acre tract on the southwest corner of Camp Bullis. While we believe there is low potential for golden-cheeked warblers on most of this tract, there is an area in the southeastern portion that is mature woodland and could include protected habitat.

The majority of the Steubing Ranch tract is within the Camp Bullis 3 mile light buffer zone. Placing a large multi-use development in this location could also create many light issues for military training operations conducted on Camp Bullis if dark sky lighting is not used. Night-time lighting from new developments is already interfering with night vision goggle (NVG) training on Camp Bullis. Lighting causes a halo effect and can greatly reduce the effective distance for NVGs. Night training (land navigation, helicopters, etc) is done in many different areas of Camp Bullis.

Considering this tract's location in the Edwards Aquifer Recharge Zone and the high probability that listed invertebrate karst species are present, this is the most significant parcel that we have evaluated to date in terms of potential for the presence of endangered species and potential adverse impact on the Edwards Aquifer.

Our concerns on compatibility with Camp Bullis will be addressed as long as the developer: (1) has appropriate documentation -- recent endangered species surveys (not older than 3 years) conducted by a professional biological consultant IAW USFWS protocols showing that no endangered species are present; (2) sends the surveys to USFWS Ecological Services Office in Austin; and (3) commits to incorporate dark sky lighting measures (such as the July 22<sup>nd</sup>, 2008 Bexar County light order or proposed City of San Antonio equivalent) into their projects.

We note that the Master Plan review page states that the developer is seeking a zoning change that will double the development density on this tract. If that is the case, this offers an exceptional opportunity to condition application approval upon the developer's completion of points (1) - (3) in the preceding paragraph. This course of action would be consistent with Councilwoman Cibrian's intervention with respect to "The Rim" development in 2007. In that case, interested groups withdrew their opposition to the zoning change after the developer agreed to conduct a habitat study and to take other measures protective of the environment and Camp Bullis.

My points of contact are Mr. Phil Reidinger at (210) 221-1099 or 336-0449 (cell) or Mr. Jim Cannizzo (210) 295-9830.

Sincerely,



Mary E. Garr  
Colonel, US Army  
Garrison Commander

Enclosures

**SAN ANTONIO WATER SYSTEM  
Interdepartment Correspondence Sheet**

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LAND DEVELOPMENT  
SERVICES DIVISION

**To:** Zoning Commission Members

**From:** Kirk M. Nixon, Manager, Resource Protection Division, San Antonio Water System

**Copies To:** Scott R. Halty, Director, Resource Protection & Compliance Department, Mike Barr, Environmental Protection Specialist III, Aquifer Protection & Evaluation Section, File

**Subject:** Zoning Case Z2009076 (Steubing Ranch)

**Date:** June 11, 2009

**SUMMARY**

A request for a change in zoning has been made for an approximate 389.53-acre tract located on the city's north side. A change in zoning from **NP-10 ERZD** to **MPCD ERZD** is being requested by the applicant, Brown & Ortiz, P.C. Attorneys at Law. The change in zoning has been requested to allow for a master planned development that includes residential, commercial, multi-family, and open space. The property is classified as Category 2 property.

Based on the site evaluation of the property, and the information submitted by the applicant, SAWS staff recommends **approval** of the proposed land use. Should the City Council rezone the property that is the subject of this report, the San Antonio Water System recommends that any development on that property after the zoning classification has been changed should be restricted as stated in the environmental recommendations section of this report.

**LOCATION**

The subject property is located in City Council District 9, near the intersection of U.S. Hwy 281 and north of Sonterra Blvd. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

**SITE EVALUATION**

1. Development Description:

The proposed change is from **NP-10 ERZD** to **MPCD ERZD** and will allow for the construction of a master planned community. Currently the site is undeveloped and covered in native vegetation.

2. Surrounding Land Uses:

Residential development surrounds the tract to the north, west, and east. This includes Champion Springs, The Glen at Stone Oak, The Hills of Stone Oak, Stone Creek, Iron Mountain Ranch, and Quarry at Iron Mountain Subdivisions. The tract is bound on the east by undeveloped land and an active quarry.

3. Water Pollution Abatement Plan:

As of the date of this report, a WPAP has not been submitted to the Texas Commission on Environmental Quality (TCEQ). A WPAP will be required to be submitted to and approved by the TCEQ prior to the commencement of construction.

4. Geologic Conditions:

The Resource Protection and Compliance Department of the San Antonio Water System performed a review of the subject property on April 15, 2009. Because of the size of the property, the geologic assessment performed by Pape-Dawson was also used to evaluate the property.

- A. The Steubing Ranch is a family homestead for a ranching operation. There is a residence located at the entrance at the southeast corner of the lot and is within a hundred yards of a family cemetery. There is one other household residence located in the central portion of the property. The property appears to have had clearing performed for the ranching operation.

The site is characterized by small hills located on the north side of the property and the southwest boundary of the subject site. The eastern half of the property is bounded by Mud Creek and a small tributary extends into the central portion of the property. Stormwater runoff flows generally to both tributaries of the Mud Creek and flows to the southeast.

- B. The entire property is represented by the lower half of the Edwards Group. The three members shown are the Grainstone Member, the Kirschberg Evaporite, and the Dolomitic Member which make up the Kainer Formation.

The Grainstone Member is a white marine deposited limestone either a grainstone or mudstone that has undergone a recrystallization process. The recrystallization tends to reduce the amount of pore space and the permeability of the rock making it relatively less sensitive to water movement through it and less vulnerable to contamination. The thickness of the member is generally 50-60 feet.

The Kirschberg Evaporite is a marine deposited mudstone that has undergone crystallization. It contains both gypsum and anhydrite, minerals which tend to dissolve more readily creating pore space and forming some avenues for water migration within the member in the Edwards Aquifer. However, Bexar County tends to have less of these minerals than in other areas. Generally, the Kirschberg Evaporite is 50-60 feet thick.

The Dolomitic Member is a marine deposited fine grained limestone, either a mudstone or a grainstone. In terms of pore space, the Dolomitic Member relative to the other members is a moderate to low in terms of its susceptibility to the solution process. Porosity and permeability tend to form along bedding planes and structural features such as fractures and faults. The Dolomitic Member is massive and can appear very jagged when eroded. The Dolomitic Member is approximately 110 to 130 feet thick.

- C. Structurally, the Steubing Ranch site is bisected by a fault that extends from the southwest section of the property to the northeast corner of the property. Additionally, a second fault runs generally parallel to the northern boundary of the property in the same direction as the first fault. This is consistent with the predominant direction of faults mapped in the Balcones Fault Zone. The area of the fault bisecting the property, where observed did not appear to be highly sensitive due to its soil filled nature.
- D. Two solution cavities and a small sinkhole were observed on the subject property. The first solution cavity was a vertical shaft with an opening of approximately one foot in diameter and had a depth of fifteen feet. The lack of soil in the feature exhibited the ability for water to infiltrate rapidly. This feature was located on a hillside with close proximity to the central tributary of Mud Creek.

The second solution cavity was a smaller feature generally a foot to foot and a half wide opening and approximately two feet deep. The location of the feature is in a streambed and was also observed to have little soil in the build-up therefore having the potential for rapid infiltration.

The third feature is a sinkhole which is approximately 14 feet in diameter and two feet deep. The feature is located on a hillside. It is also believed to have the potential for rapid infiltration of water.

All three features will be preserved as part of the master plan.

Three water wells were located on the property. All three were observed to be in operation for the current residences on site.

## **ENVIRONMENTAL CONCERNS**

The environmental concerns associated with this development being constructed on the Edwards Aquifer Recharge Zone are:

### **Site Specific Concerns**

1. Several sensitive geologic features are located on the property and there is potential for contamination of the Edwards Aquifer.
2. Three wells were observed on the site and they are currently in operation.
3. A portion of the property lies within Mud Creek, along the eastern and southern portion, where recharge may occur.
4. MPCD Zoning allows for certain industrial land uses that are not allowed over the recharge zone. According to the applicant the land use will be single-family, multi-family, and commercial.

### **General Concerns**

1. The improper use of pesticides, herbicides, or fertilizers needed for landscape maintenance that may be carried off in the first flush of stormwater run-off.
2. The build-up of hydrocarbons and other pollutants on streets, parking lots and other paved areas that are then carried off in the first flush of stormwater run-off.

## **ENVIRONMENTAL RECOMMENDATIONS**

The following recommendations address the environmental concerns raised by the construction of this development on the Edwards Aquifer Recharge Zone:

### **Site Specific Recommendations**

1. The impervious cover for the overall tract has been included in the exhibit for the Steubing Ranch Master Development Plan (MDP) (attachment 3). The impervious cover ranges from 0% for the green space areas to 95% for commercial areas along roadways and intersections and utilizes cluster development concepts to increase natural area protection. The overall

impervious cover for the entire 651.30 acre master plan is 43.20%. The Master Planned Community District (MPCD) includes 389.53 acres (attachment 4). The impervious cover shall not exceed 43.20% for the overall MDP site.

2. A buffer shall be provided for the three sensitive geologic features that are located on site that include geologic feature S-104 (solution cavity), S-107 (sinkhole), and S-110 (solution cavity).
3. The wells, along with any additional wells that may be located on the site must be properly plugged if need be according to the City Code Chapter 34, Division 2 Section 574 by a registered well driller.
4. A floodplain buffer shall be provided along the portions of the property that bound the creeks and drainage areas as required in Ordinance No. 81491, Section 34-913.
5. Land uses that require an industrial designation, per the permitted use table shall not be allowed on the project site.
6. The land uses within the zoned areas shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at that site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as prohibited, that land use will not be permitted on that site.
7. The owner of all water pollution abatement structures shall be responsible for properly maintaining the basin and that it is kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Resource Protection Division of SAWS.
8. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S.D.A., shall be used.
9. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 233-3564 no later than 48 hours prior to the commencement of



construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the SAWS at (210) 233-3526.

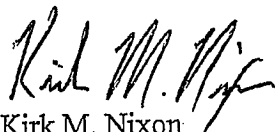
10. If any sensitive geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3526.

#### **General Recommendations**


1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Resource Protection Division of the San Antonio Water System.
2. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
  - A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,
  - B. A set of site specific plans which must have a signed Engineers Seal from Texas,
  - C. A WPAP approval letter from the Texas Commission on Environmental Quality (TCEQ),
  - D. A copy of the approved Water Pollution Abatement Plan.
3. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
4. If a water quality basin is constructed on the property, the following is required:
  - A. Below grade basins shall not be allowed to be constructed on the site.
  - B. Prior to the start of the basin construction, the owner will notify San Antonio Water System at (210) 233-3526 to schedule a site inspection.

- C. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 233-3526 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to San Antonio Water System, Aquifer Protection and Evaluation Section.
  - D. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 233-3564 prior to any discharge of water.
  - E. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule agreement, from the new owner, must be submitted to the SAWS.
- 5. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
  - 6. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

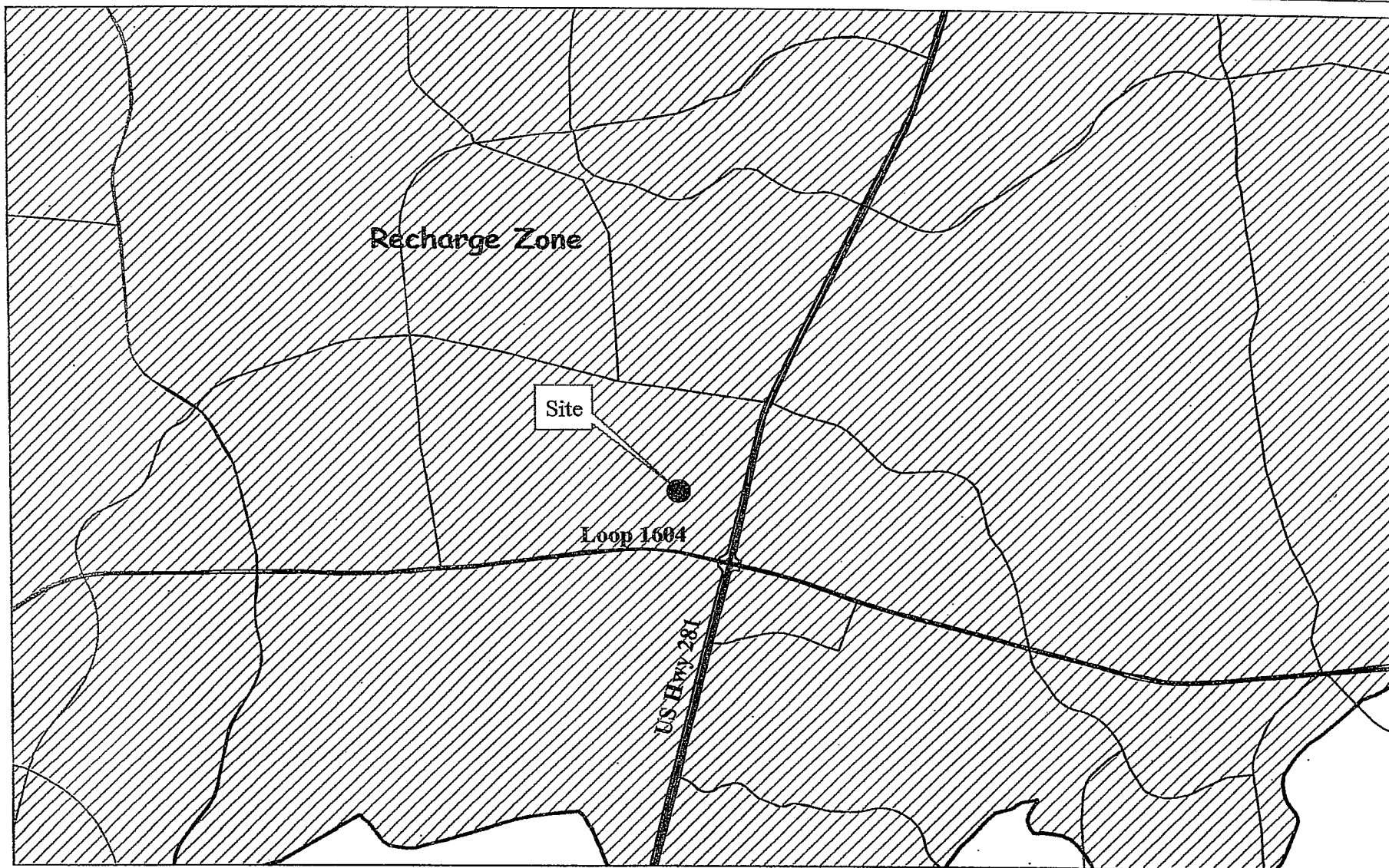
Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the subject property.

  
Kirk M. Nixon  
Manager  
Resource Protection Division

APPROVED:

  
Scott R. Halty  
Director,  
Resource Protection & Compliance Department

KMN:MJB



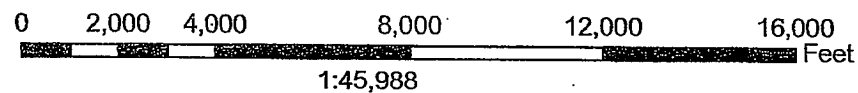
**Zoning Case No. Z2009076 Figure 1**

**Steubing Ranch**

**Map Page 483 A7**

**X=2134678 Y=13776202**

**Map Prepared by Aquifer Protection and Evaluation MJB 5/19/2009**





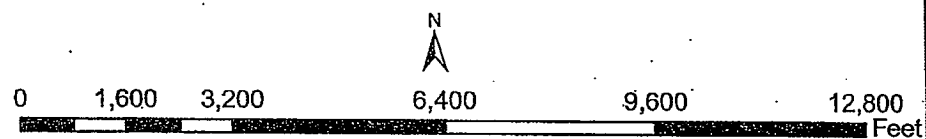
**Zoning Case No. Z2009076 Figure 2**

Steubing Ranch

Map Page 483 A7

X=2134678 Y=13776202

Map Prepared by Aquifer Protection and Evaluation MJB 5/19/2009



1:33,822

# **LEGEND**

- 75% ALLOWABLE IMPERVIOUS COVER
- 65% ALLOWABLE IMPERVIOUS COVER
- 30% ALLOWABLE IMPERVIOUS COVER

ALLOWABLE IMPERVIOUS COVER  
ACREAGE FOR 651.30 ACRE TRACT

49.00	AC @ 75%	= 36.75
182.70	AC @ 65%	= 118.75
419.60	AC @ 30%	= 125.85
TOTAL = 281.35 ACRES		

ALLOWABLE PERCENT IMPERVIOUS  
COVER FOR 651.30 ACRE TRACT

= 281.35 / 651.30
= 43.20%

# **LEGEND**

- 95% IMPERVIOUS COVER
- 80% IMPERVIOUS COVER
- 75% IMPERVIOUS COVER
- 65% IMPERVIOUS COVER
- 41% IMPERVIOUS COVER
- 42% IMPERVIOUS COVER
- 30% IMPERVIOUS COVER
- 100% IMPERVIOUS COVER
- 0% IMPERVIOUS COVER (FLOODPLAIN)
- 0% IMPERVIOUS COVER (GREENBELT)

PROPOSED IMPERVIOUS COVER  
ACREAGE FOR 651.30 ACRE TRACT

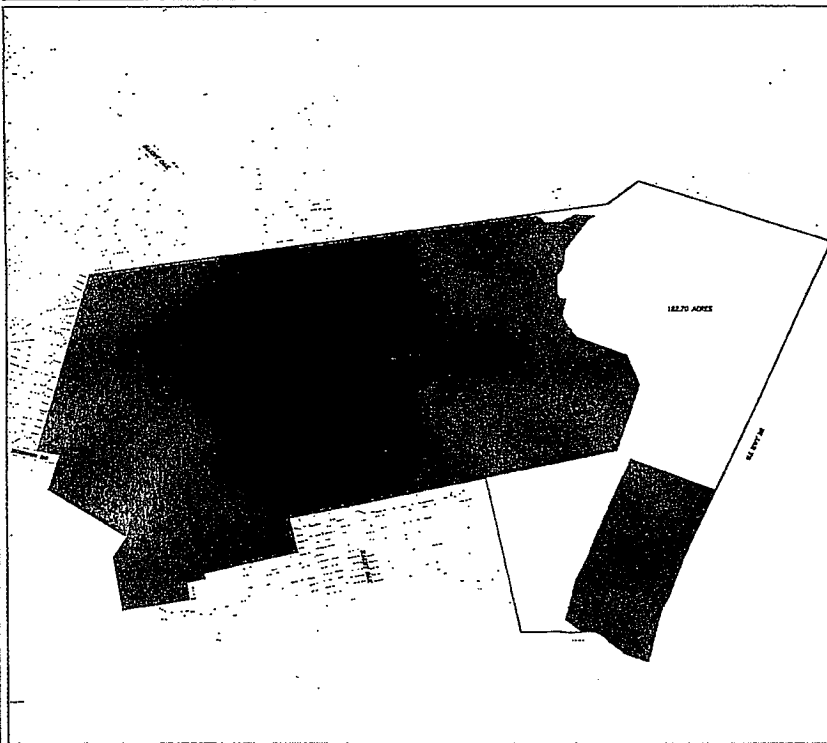
141.31	AC @ 95%	= 134.24
29.01	AC @ 80%	= 23.21
56.02	AC @ 75%	= 42.02
3.51	AC @ 65%	= 2.28
28.33	AC @ 41%	= 11.62
42.55	AC @ 44%	= 18.72
25.96	AC @ 30%	= 7.79
281.35	AC @ 0%	= 0.00
41.25	AC @ 100%	= 41.25
TOTAL = 281.13 ACRES		

PROPOSED PERCENT IMPERVIOUS  
COVER FOR 651.30 ACRE TRACT

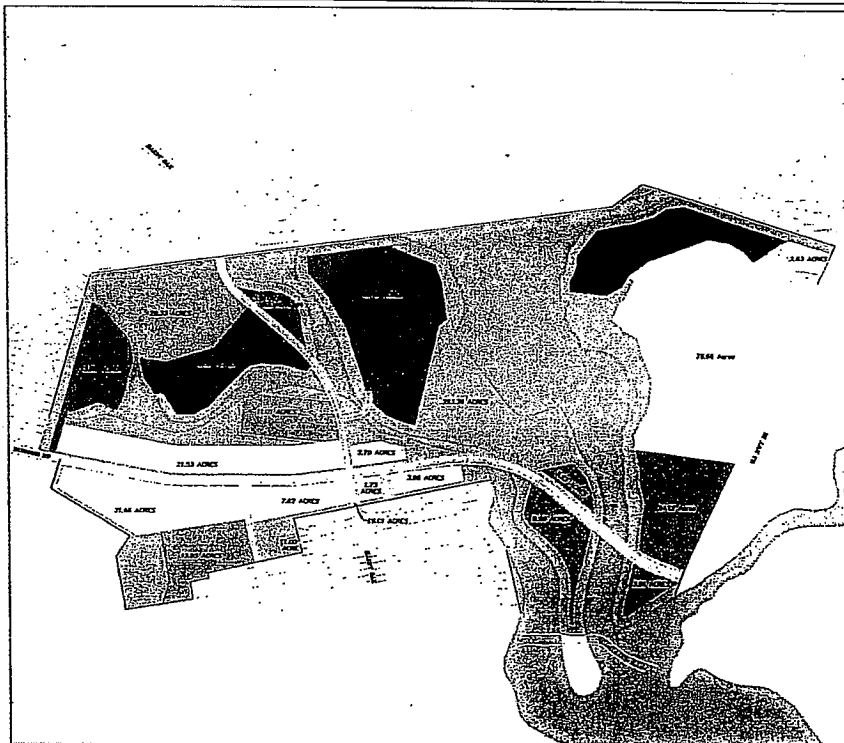
= 281.13 / 651.30
= 43.16 %

# **NOTES**

1. IMPERVIOUS COVER CALCULATIONS ARE BASED ON MAXIMUM ALLOWABLE IMPERVIOUS COVER.
2. ACREAGE AND IMPERVIOUS COVER PERCENTAGES MAY CHANGE WITHIN ALLOWABLE LIMITS AS PERMITTED BY ORDINANCE NO. 31491.
3. DRIVEWAYS THAT PROVIDE ACCESS ACROSS OPEN SPACE ADJACENT TO STREET RIGHT-OF-WAY SHALL UTILIZE IMPERVIOUS COVER ALLOCATED TO THE PROPOSED DEVELOPMENT PARCEL.
4. IMPERVIOUS COVER AREA FOR ≥ 3.5 ACRE TRACT SHALL NOT EXCEED 65%.



ALLOWABLE IMPERVIOUS COVER



PROPOSED IMPERVIOUS COVER

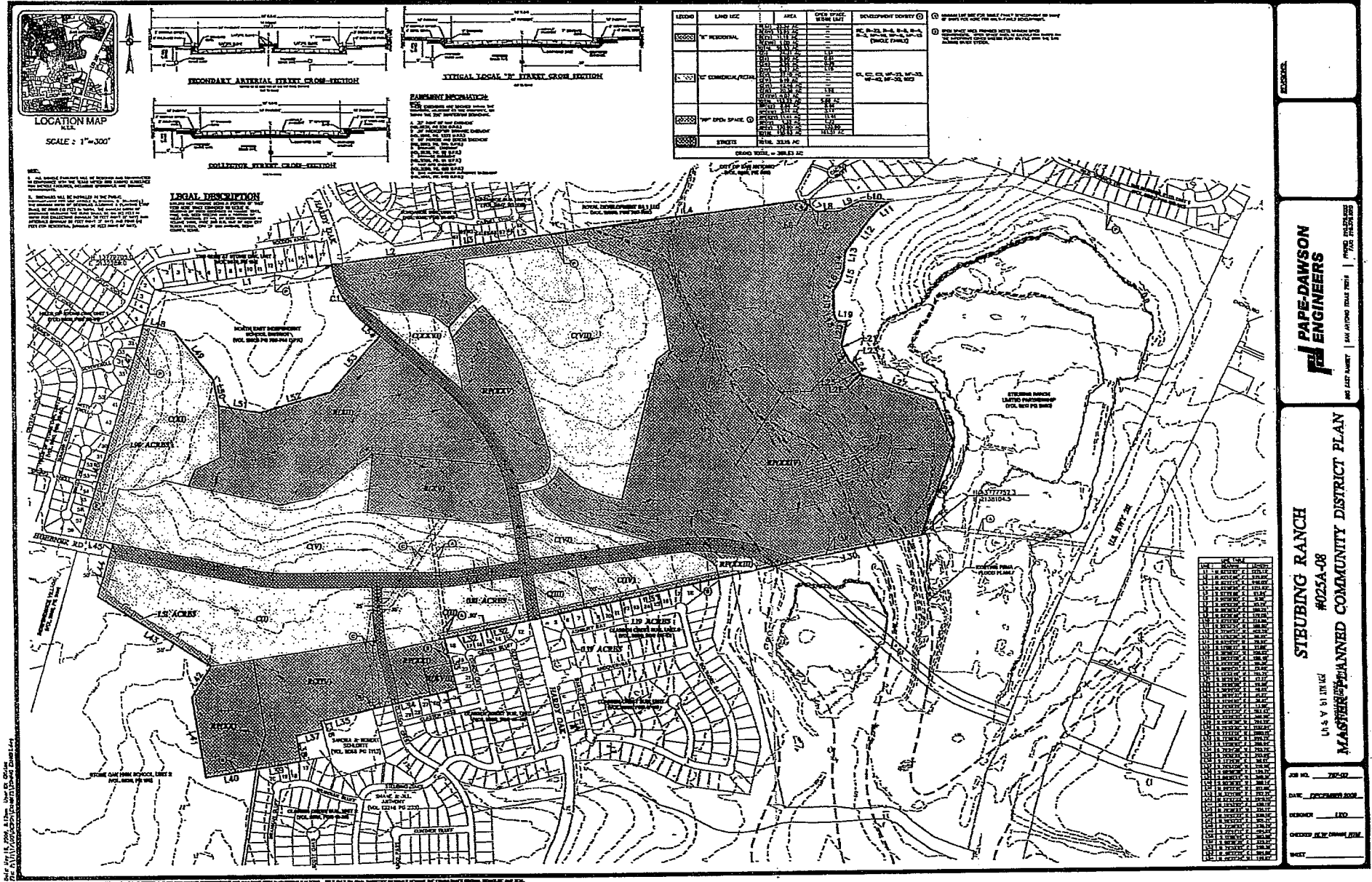
APPROVED: \_\_\_\_\_  
SAN ANTONIO WATER SYSTEM  
ADJUTANT PROTECTION AND EVALUATION

DATE: \_\_\_\_\_

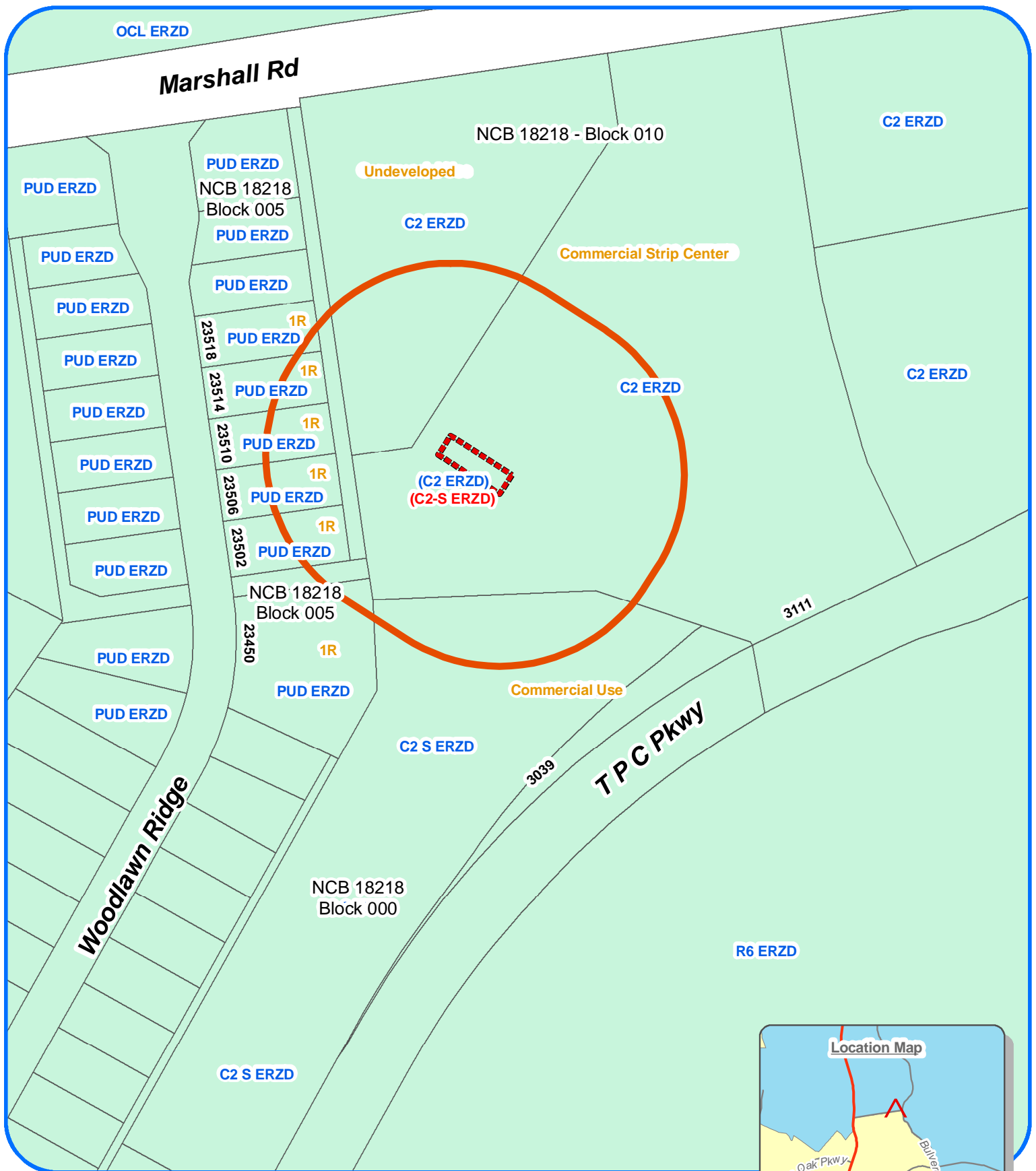
**PAPE-DAWSON  
ENGINEERS**

STEUBING RANCH  
IMPERVIOUS COVER MASTER PLAN EXHIBIT

JOB NO. 777-02  
DATE: FEBRUARY 2008  
DESIGNED: GSK  
CHECKED: JLM/DRM/RTM  
SHEET: \_\_\_\_\_







## Zoning Case Notification Plan

### Case Z2009101 S ERZD

Council District 9

Scale: 1" approx. = 150 Feet

Subject Property Legal Description(s): 0.0509 of an acre out of NCB 18218 - Block 010 - Lot 3

#### Legend

Subject Property (0.0509 Acres)  
 200' Notification Buffer  
 Current Zoning **TEXT**  
 Requested Zoning Change **(TEXT)**  
 100-Year FEMA Floodplain



Planning & Development Services Dept  
 City of San Antonio  
 (07/02/2009 - E Hart)

# CASE NO: Z2009101 S ERZ

## Final Staff Recommendation - Zoning Commission

---

**Date:** July 21, 2009

**Council District:** 9

**Ferguson Map:** 483 F2

**Applicant Name:**

**Owner Name:**

Stone Oak Commons, LLC (John Boyd)

Stone Oak Commons, LLC

**Zoning Request:** From "C-2 ERZD" Commercial Edwards Recharge Zone District to "C-2 ERZD S" Commercial Edwards Recharge Zone District with a Specific Use Authorization to allow a bar/tavern.

**Property Location:** 0.0509 of an acre out of NCB 18218

3111 TPC Parkway, #106

On the west side of Bulverde Road between Marshall Road to the north and TPC Parkway to the south.

**Proposal:** To allow a bar/tavern

**Neigh. Assoc.** None

**Neigh. Plan** None

**TIA Statement:** A Traffic Impact Analysis is not required.

**Staff Recommendation:**

Approval

The subject property is located within a retail shopping center with access to TPC Parkway and Marshall Road (both Secondary Arterial "Type A" Streets). The property is adjacent to C-2 zoning to the north, south and east and R-6 zoning to the west. The surrounding land uses consist of a variety of commercial uses to the east, undeveloped land to the northwest, single-family dwellings (currently under construction) to the west and a fast food restaurant to the south. The property directly to the south, which is located at 3039 TPC Parkway was recently the subject of zoning case (Z2007020 S) in which the applicant was granted a zoning change from R-6 ERZD Residential Single-Family Edwards Recharge Zone District to C-2 ERZD S Commercial Edwards Recharge Zone District with a Specific Use Authorization to allow a bar/tavern.

The applicant is requesting a zoning change to allow a bar/tavern, which requires a Specific Use Authorization in C-2 zoning districts. The purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but which may, under the right set of circumstances and conditions be acceptable in certain specific locations.

The subject property is a suite within a multi-tenant building. The proposed zoning and use is compatible with the character of the existing retail and service uses in the immediate area. The proposed bar/ tavern use would be restricted to a portion of the multi-tenant building and would not extend beyond the 2,219 square foot space. Staff finds this request reasonable due to the location of the subject property on TPC Parkway, near Marshall Road, and the existing similarly zoned properties situated at this intersection.

SAWS Summary:



# **CASE NO: Z2009101 S ERZ**

## **Final Staff Recommendation - Zoning Commission**

---

1. SAWS staff does not object to the rezoning request.
2. The property is classified as a Category 1 property.
3. The proposed zoning change will not increase the impervious cover.

**CASE MANAGER :** Brenda Valadez 207-7945

CURVE	RADIUS	CENTRAL ANGLE	CHORD BEARING	CHORD DISTANCE	CURVE LENGTH
C1	1085.00	54° 52'	S 07° 57' 28" E	110.55'	119.47'
C2	1085.00	54° 52'	S 13° 38' 02" E	128.95'	175.65'
C3	548.00	79° 52' 03"	S 27° 12' 52" W	74.12'	96.41'
C4	678.00	1° 56' 12"	S 82° 14' 05" W	22.85'	22.85'
C5	1098.00	0° 02' 21"	S 84° 00' 38" W	2.33'	

job: 6438.02  
date: APR. 20, 2007  
drawn: B.C., F.D., R.L.  
sheet: OF  
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**SAN ANTONIO WATER SYSTEM** LAND DEVELOPMENT  
SERVICES DIVISION  
**Interdepartmental Correspondence Sheet**

**To:** Zoning Commission Members

**From:** Kirk Nixon, Manager, Resource Protection Division, San Antonio Water System

**Copies To:** Scott R. Halty, Director, Resource Protection & Compliance Department;  
Bruce Keels, Environmental Geologist, Aquifer Protection & Evaluation Section; File

**Subject:** Zoning Case Z2009101S (Tavern at Stone Oak Crossing)

**Date:** June 9, 2009

**SUMMARY**

A request for a change in zoning has been made for an approximate 0.0509-acre tract located within a 12.46-acre parent tract on San Antonio's far north side. A change in zoning from **C-2 ERZD** to **C-2S ERZD** is being requested by the applicant, John Boyd, Stone Oaks Commons LLC, by Charles Eden. The change in zoning has been requested to allow the proposed restaurant to serve alcohol. The subject tract has been determined to be Category 1 property.

Currently, construction has been completed on the building and surrounding infrastructure, but occupation of the proposed restaurant has not yet occurred. The site is developed as a commercial retail business park with several businesses. The subject property is located at 21711 Stone Oak Parkway, Suite 106, which is approximately 0.0509 acres out of an overall 12.46 acre development known as Stone Oak Commons. The Water Pollution Abatement Plan for this development was approved by the Texas Commission on Environmental Quality (TCEQ) on June 18, 2007 with an impervious cover of 9.22 acres (74.00%). Additionally, the proposed zoning change will not increase the impervious cover as the subject site is requesting the zoning change to allow alcohol sales.

Zoning Commission Members  
Z2009101S (Tavern at Stone Oak Commons)  
Page 2

Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site is underlain by the Dolomitic Member of the Kainer Formation of the Edwards Aquifer. The Dolomitic Member of the Kainer Formation is characterized by the presence of massively bedded mudstone, grainstone, and recrystallized limestone with abundant chert nodules. The full section thickness of this member is approximately 110 to 130 feet thick. Observation of underlying geology was not possible since the site is developed and covered with parking lots and buildings. The subject property is located in City Council District 10, near the intersection of Bulverde Road and Cibolo Canyon Road. The entire property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

Based on the information submitted by the applicant, SAWS staff does not object to allowing the Tavern at Stone Oak Commons located within the Stone Oak Commons to provide alcohol sales, as such activity does not affect ground water quality. Should the San Antonio City Council rezone the property that is the subject of this report, the San Antonio Water System recommends that any proposed development on that property after the zoning classification has been changed should be reviewed by all applicable agencies.



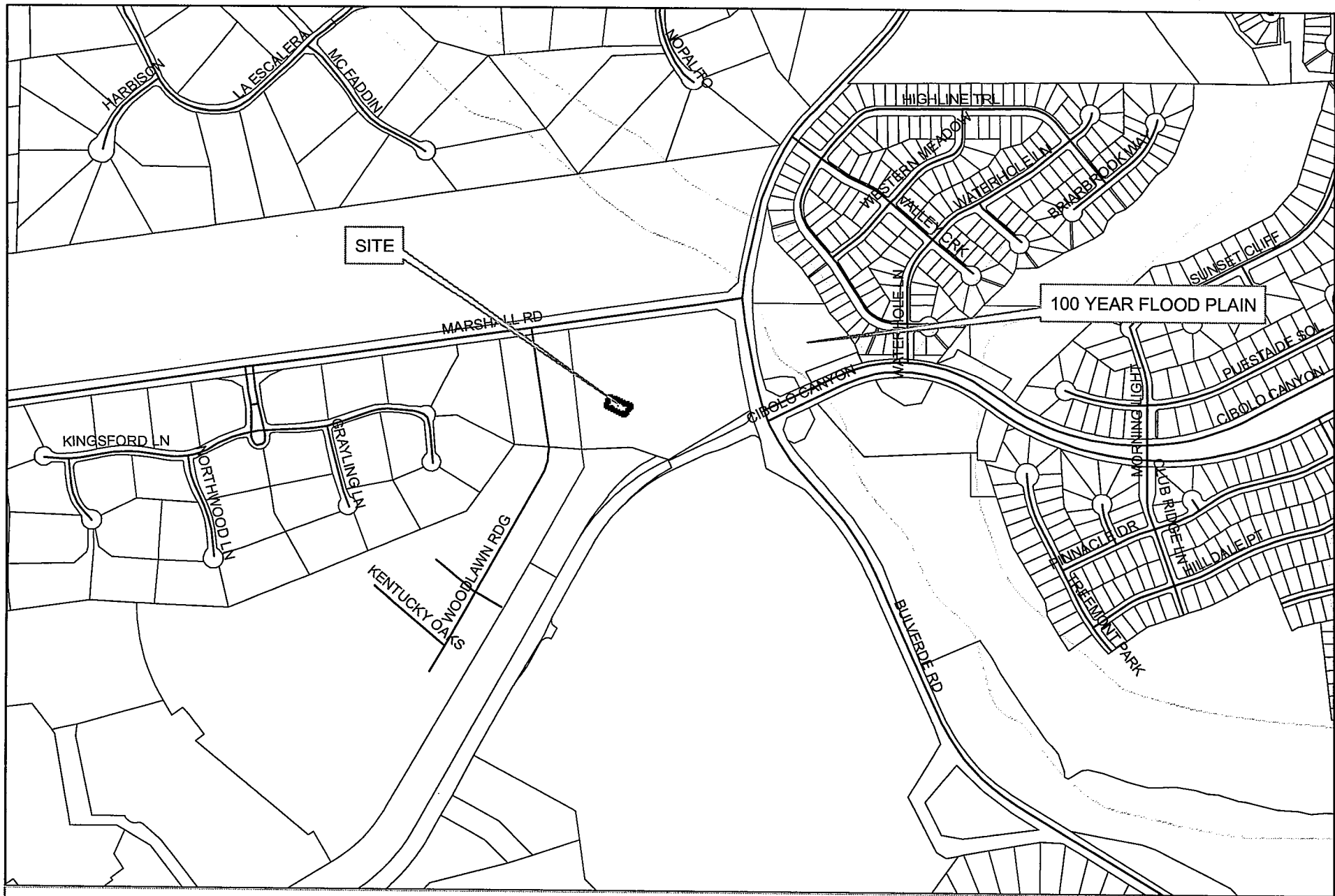
Kirk M. Nixon  
Manager  
Resource Protection Division

**APPROVED:**



Scott R. Halty  
Director,  
Resource Protection & Compliance Department

KMN:BVK

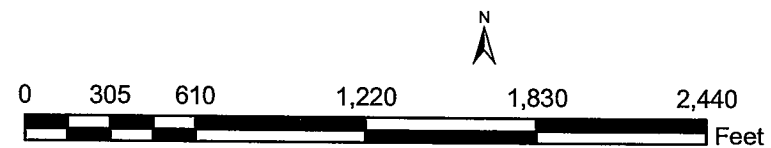


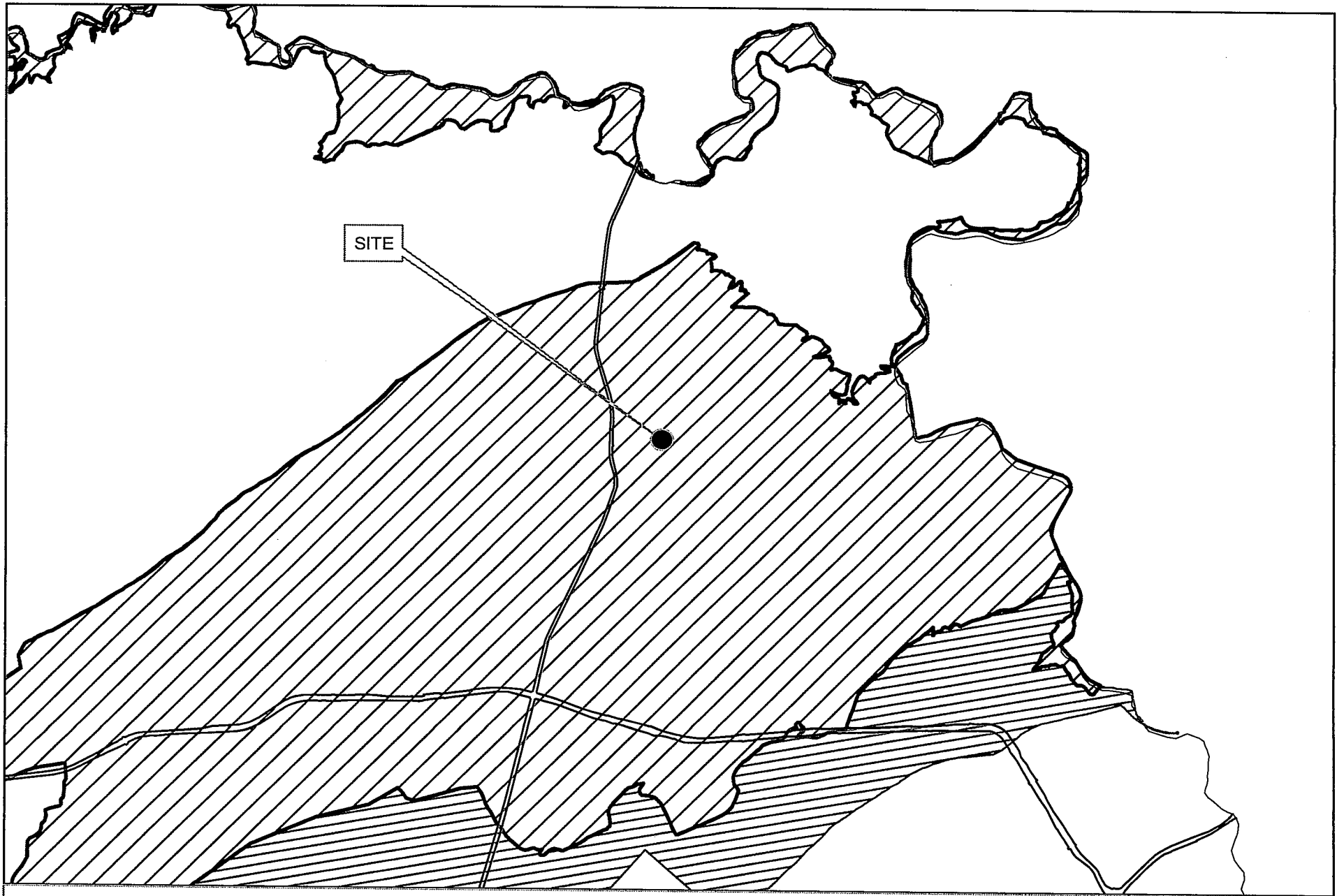
**ZONING CASE: Tavern at Stone Oak Crossing Figure 2**

**ZONING ID: Z2009101S**

**MAP PAGE 483 F3 X=214171 Y=13788326**

**Map Prepared by Aquifer Protection & Evaluation BVK 6/4/09**



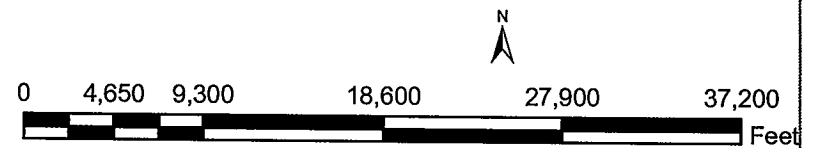


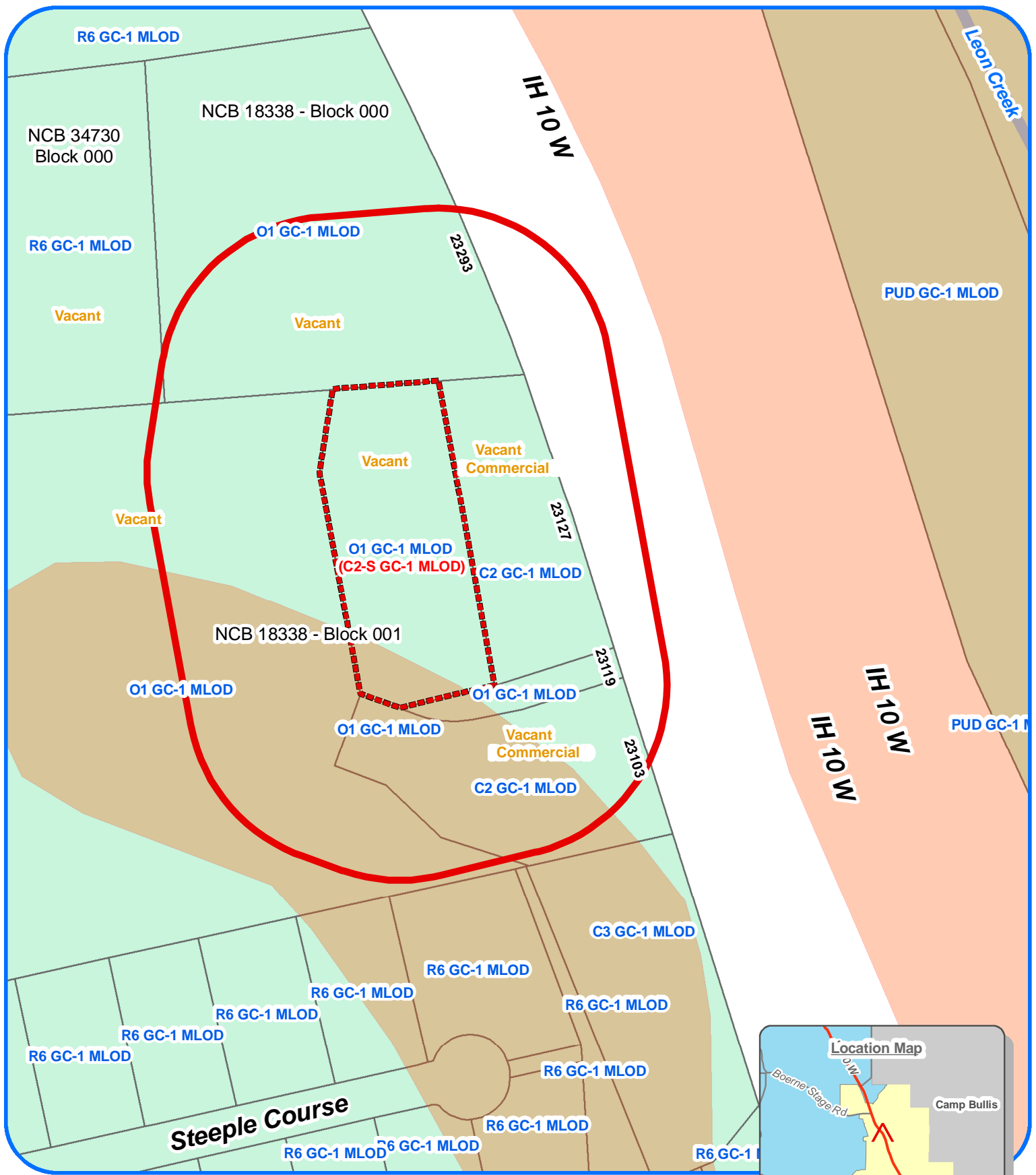
**ZONING CASE: Tavern at Stone Oak Crossing Figure 1**

**ZONING ID: Z2009101S**

**MAP PAGE 483 F3 X=214171 Y=13788326**

**Map Prepared by Aquifer Protection & Evaluation BVK 6/4/09**





## Zoning Case Notification Plan

### Case Z2009118 S

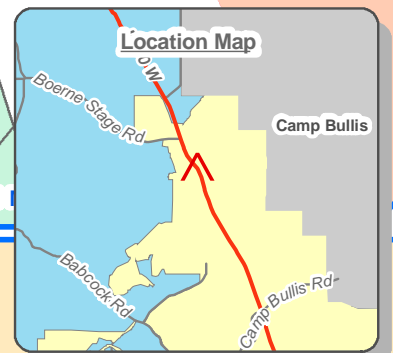
Council District 8

Scale: 1" approx. = 150 Feet

Subject Property Legal Description(s): 1.27 acres out of NCB 18338 - Block 001 - Lot 131

#### Legend

- Subject Property (1.27 Acres) ■■■■■■■■■■
- 200' Notification Buffer —————
- Current Zoning TEXT
- Requested Zoning Change (TEXT)
- 100-Year FEMA Floodplain



Planning & Development Services Dept  
City of San Antonio  
(06/26/2009 - E Hart)

# CASE NO: Z2009118 S

## Final Staff Recommendation - Zoning Commission

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**Date:** July 21, 2009

**Council District:** 8

**Ferguson Map:** 479 F3

**Applicant Name:**

**Owner Name:**

Salah E Diab

Arboretum Place, LLC (Joel Pollack)

**Zoning Request:** From "C-2 GC-1 MLOD-1" Commercial Hill Country Gateway Corridor Military Lighting Overlay District-1 to "C-2 S GC-1 MLOD-1" Commercial Hill Country Gateway Corridor Military Lighting Overlay District-1 with a Specific Use Authorization for a Hotel.

**Property Location:** 1.27 acres out of Lot 131, Block 1, NCB 18338

A portion of 23119 IH 10 W

On the west side of IH 10, approximately 700 feet north of Steeple Park

**Proposal:** To allow a hotel

**Neigh. Assoc.** None

**Neigh. Plan** None

**TIA Statement:** A Traffic Impact Analysis (TIA) is not required

**Staff Recommendation:**

Approval.

The subject property, located on IH 10 north of Steeple Park, is an undeveloped 1.27-acre portion of a larger 9.2-acre parcel which is currently being developed with a mix of office and commercial uses. The subject property was annexed in 2000, per Ordinance 92903. The subject property and all surrounding properties are located within both the "GC-1" Hill Country Gateway Corridor Overlay District and the "MLOD-1" Military Lighting Overlay District-1. The request for zoning change will not affect the two overlay districts. Upon annexation the property was given "Temp R-1" Temporary Single Family Residence District zoning. With the adoption of the 2001 Unified Development Code, the previous zoning converted to "R-6" Residential Single-Family District. In a 2005 case, the property was zoned "O-1" Office District. In 2008, the property was again rezoned to the current "C-2" Commercial District. Surrounding zoning includes "O-1" Office District to the north, west, and south; with "C-2" and "C-2 S" Commercial District (with a Specific Use Authorization for a bar/tavern) to the east. Other surrounding zoning includes "R-6" Residential Single-Family District farther to the north, west, and south. Surrounding land uses include undeveloped land to the north; ongoing commercial and office construction to the east, west, and south; with single-family homes farther to the west and south. The subject property is located within the Camp Bullis Awareness Zone/ Military Influence Area. In accordance with the signed Memorandum of Understanding between Fort Sam Houston and the City of San Antonio, the Garrison Commander did not review the zoning request because the tract is smaller than 10 acres and is not immediately adjacent to Camp Bullis.

The applicant requests a Specific Use Authorization to allow development of a hotel on the subject property. Staff finds the request to be appropriate given the property's location near IH 10, as well as the surrounding commercial and office uses. The applicant has submitted the required site plan, detailing the location and dimensions of the proposed development. Staff's only concern is that the site plan includes approximately half of the parking spaces that will be required of the hotel. The applicant notes on the site plan that a parking agreement will be in place, as the hotel development intends to utilize additional parking located within the



# CASE NO: Z2009118 S

Final Staff Recommendation - Zoning Commission

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larger 9.2-acre parcel.

**CASE MANAGER :** Micah Diaz 207-5876

Z20091185

DEVELOPMENT SUMMARY	
CURRENT USE	C2 GC-1 (VACANT)
PROPOSED USE	C2S GC-1 (HOTEL)
# OF STOREYS	3
# OF ROOMS	84

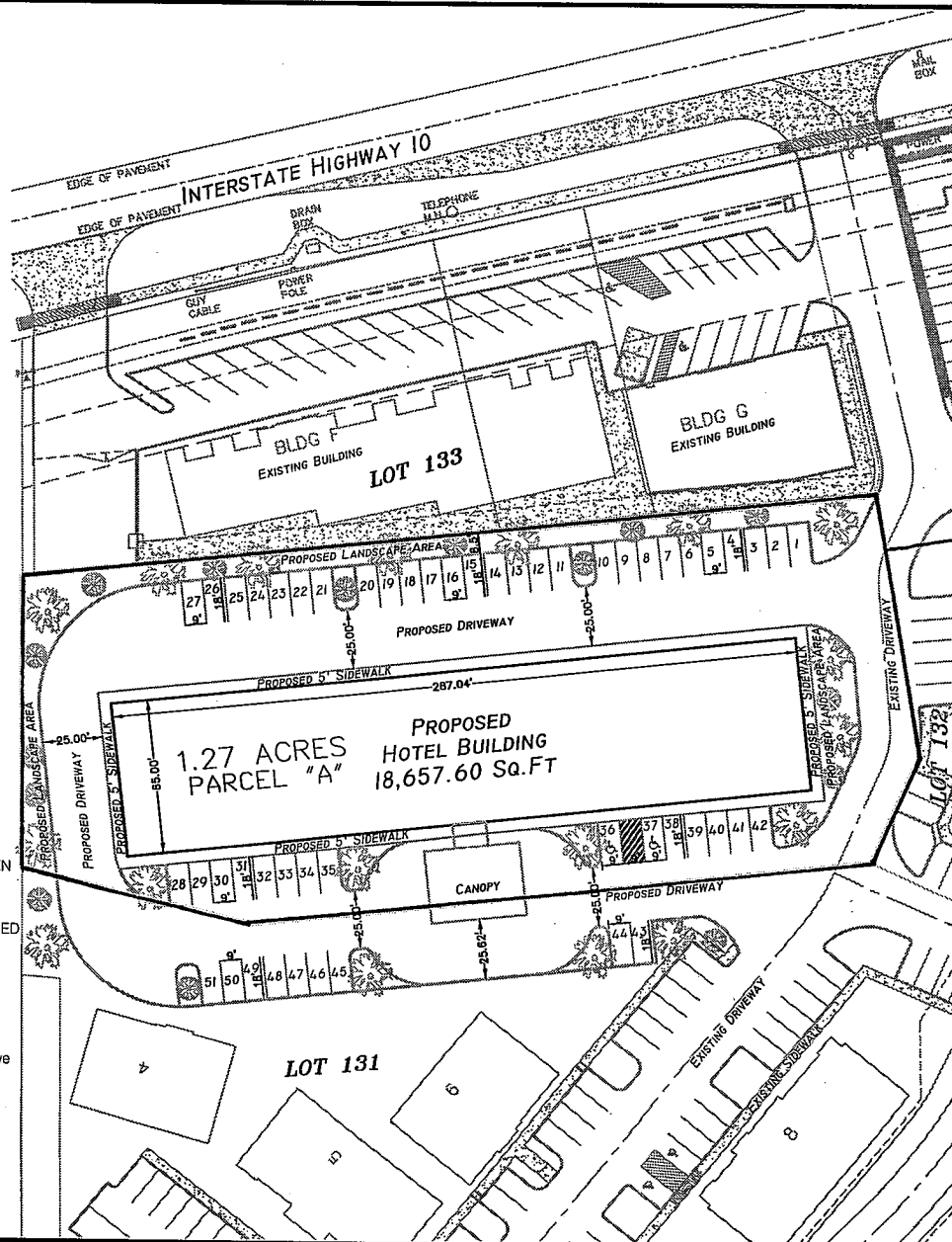
PROPOSED USE	AREA
BUILDING AREA (MOTEL)	18,658 S.F.
PAVEMENT/HARD SURFACE AREA	29,551 S.F.
TOTAL IMPERVIOUS AREA	48,209 S.F.
TOTAL LANDSCAPING AREA	7,215 S.F.
TOTAL AREA	55,424 S.F.
TOTAL ACREAGE	1.272 AC.

PARKING	SPACES
TOTAL VEHICLE PARKING SPACES	42*
TOTAL (ADA) PARKING	02

\* ONSITE PARKING IS 42 SPACES. A SHARED PARKING AGREEMENT WITH THE ADJACENT PROPERTY (SAME PROPERTY OWNER) WILL BE IN PLACE TO SATISFY THE MINIMUM PARKING REQUIREMENTS

**BUILDING SETBACK NOTE:**  
THE BUILDING SETBACK (FRONT, SIDE, AND REAR) FOR THE PROPOSED DEVELOPMENT IS ZERO BECAUSE ALL THE ADJACENT PROPERTY ZONING IS NON-RESIDENTIAL.

"I, Joel Pollock (President/Owner: Dial Communities), the property owner, acknowledge that this site plan submitted for the purpose of rezoning this property is in accordance with all applicable provisions of the Unified Development Code. Additionally, I understand that City Council approval of a site plan in conjunction with a rezoning case does not relieve me from adherence to any/all City-adopted Codes at the time of plan submittal for building permits."



GRAPHIC SCALE



(IN FEET)  
1 INCH = 50 FT.

Area being rezoned

## HAWTHORN SUITES SITE PLAN



Seda Consulting Engineers, Inc.  
6735 IH 10 West (210) 308-0057  
San Antonio, Texas 78201 FAX: (210) 308-8842  
E-MAIL: sedit@satx.rr.com  
CIVIL • STRUCTURAL • ENVIRONMENTAL • PLANNER

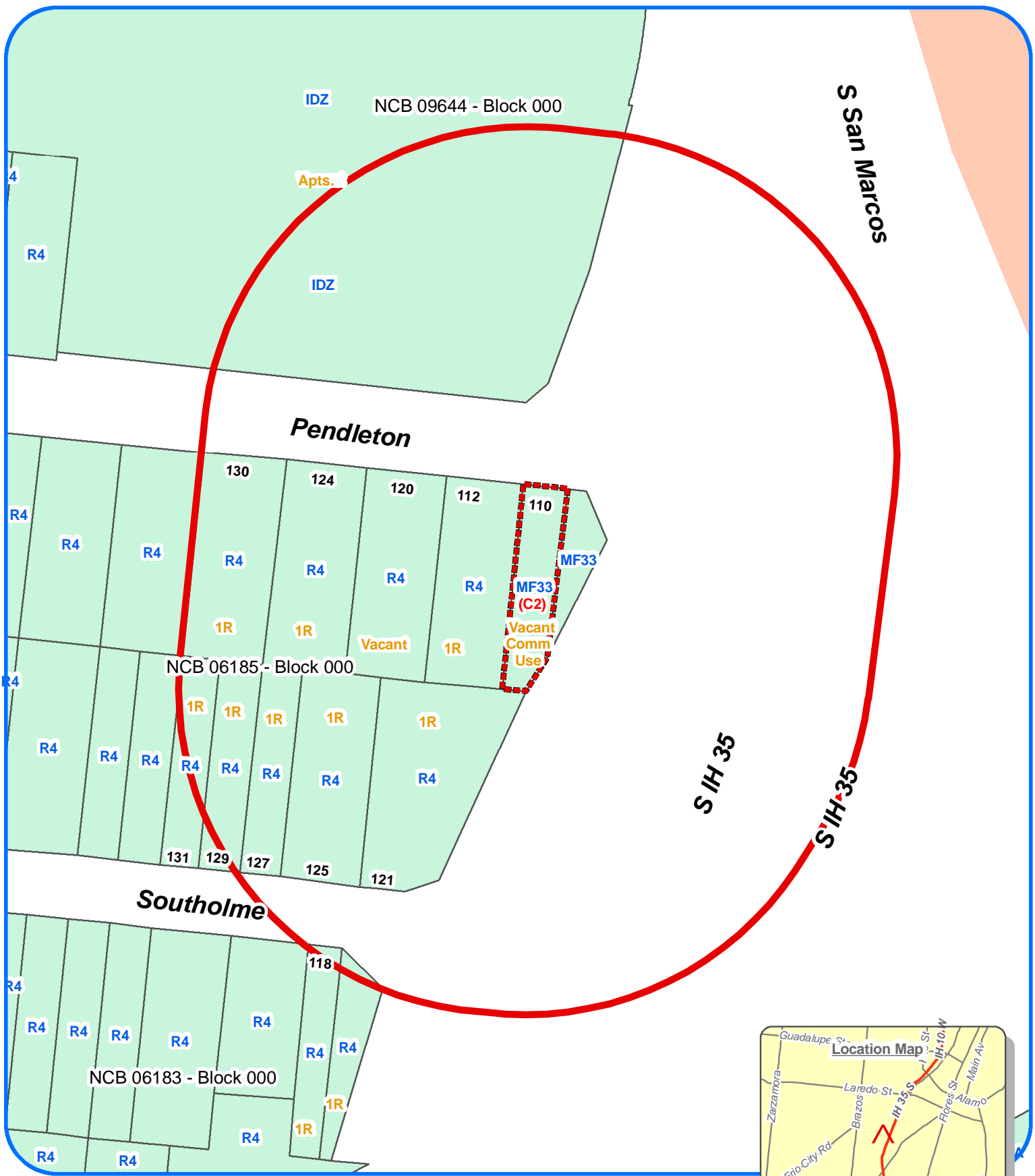
JOB # 1533

DATE: 05/25/09

DRAWN BY: KK

CHECKED BY: SED

SHEET: 1 OF 1



## Zoning Case Notification Plan

### Case Z2009119

Council District 5

Scale: 1" approx. = 80 Feet

Subject Property Legal Description(s): NCB 06185 - Block 000 - Lot 281

#### Legend

- Subject Property (0.0717 Acres)
- 200' Notification Buffer
- Current Zoning **TEXT**
- Requested Zoning Change **TEXT**
- 100-Year FEMA Floodplain



Planning & Development Services Dept  
City of San Antonio  
(06/26/2009 - E Hart)

# CASE NO: Z2009119

## Final Staff Recommendation - Zoning Commission

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**Date:** July 21, 2009

**Council District:** 5

**Ferguson Map:** 616 C8

**Applicant Name:**

**Owner Name:**

Alton & Betty Wagner Hansen Trust

Alton & Betty Wagner Hansen Trust

**Zoning Request:** From "MF-33" Multi Family District to "C-2" Commercial District.

**Property Location:** Lot 281, NCB 6185

110 Pendleton

On the southwest corner of the intersection of Pendleton and IH 35 South

**Proposal:** To allow a convenience store.

**Neigh. Assoc.** Collin Gardens Neighborhood Association

**Neigh. Plan** Nogalitos/South Zarzamora Community Plan

**TIA Statement:** A Traffic Impact Analysis is not required.

**Staff Recommendation:**

Denial

The subject property is located on the southwest corner of Pendleton and IH 35 South. The subject property is 0.0717 of an acre and is occupied by a vacant commercial building that measures approximately 1000 square feet, which was constructed in 1950. The property is adjacent to R-4 zoning to the west and south, IH 35 South to the east and IDZ zoning to the north. The surrounding land uses consist of single-family residential dwellings to the west and south, apartments to the north and IH 35 South to the east.

The applicant is requesting a zoning change to allow a convenience store. The future land use designation for the subject property is Medium Density Residential. The requested C-2 designation is not consistent with the Nogalitos/South Zarzamora Community Plan. A Plan Amendment is required in order to rezone the subject property to C-2. The applicant has filed an application for a plan amendment and this request will be heard by the Planning Commission on August 12, 2009.

The requested C-2 zoning, and proposed use, would not be compatible with the surrounding zoning districts and current uses along Pendleton. Single-family dwellings exist to the west and south of the subject property. In order to provide sustainable development, land uses should transition from more intense uses to less intense uses. Further, staff is concerned the applicant cannot provide the appropriate parking area needed for customers and employees. Given the uses permitted within the requested zoning district and the adjacent single-family residences, C-2 would be too intense at this location.

If a commercial use is deemed appropriate at this location, a small neighborhood oriented office or service use is more appropriate at this location as this type of use is designed to serve a smaller customer base. Building size limitations would restrict the intensity in both customer and traffic volume, making any future commercial use more compatible with the residential character of the existing neighborhood.

**CASE MANAGER :** Brenda Valadez 207-7945

# Neighborhood and Urban Design Division

## Zoning Case Review

**Zoning Case No.:** Z2009119

**Existing Zoning:** MF-33

**Requested Zoning:** C-2

**Registered Neighborhood Association(s):** Collins Garden

**Neighborhood/Community/Perimeter Plan:** Nogalitos/S. Zarzamora Community Plan

**Future Land Use for the site:** Medium Density Residential

### Analysis:

The subject property is currently classified as Medium Density Residential in the Nogalitos/S. Zarzamora Community Plan. Medium Density Residential includes all uses in the Low Density Residential category, such as single-family residential dwellings, as well as duplexes, triplexes, townhomes, and zero-lot line configurations. The community plan recommends that Medium Density Uses be located along residential roads or collector streets. The applicant is requesting that the Future Land Use designation for the property be amended to Mixed Use Residential/Office/and Commercial. This classification allows for an integrated blend of residential, retail, leisure, and other uses and creates a pedestrian and transit oriented environment.

The subject property is located at the eastern end of Pendleton Street, immediately to the west of IH-35. Immediately to the north of the subject property is a large tract that is classified as Mixed Use and designated as a desired area for Mixed Use development. By utilizing existing building stock this application would also appear to meet Objective 2.1 (p.22) which speaks to the protection and preservation of the existing neighborhoods and commercial corridors.

The Nogalitos/S. Zarzamora Community Plan lists the zoning categories that are associated with each land use classification. The Mixed Use category does not include the C-2 zoning category; however, it does include the C-2P classification. Being currently classified as a Medium Density Residential area and changing to Mixed Use would require a plan amendment.

### Other Comments:

☐ Request conforms to Land Use Plan

☒ Request does not conform to Land Use Plan

☐ Consistency not required because base zoning not changing.

### Staff Recommendation:

☐ Approval

☒ Denial

☐ Alternate Recommendation:

**Reviewer:** Tyler Sorrells

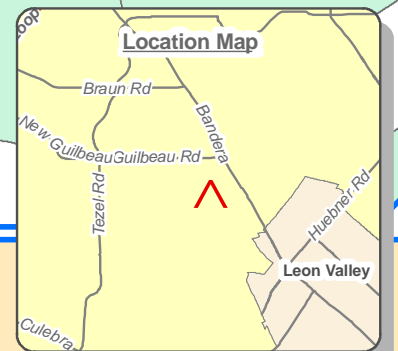
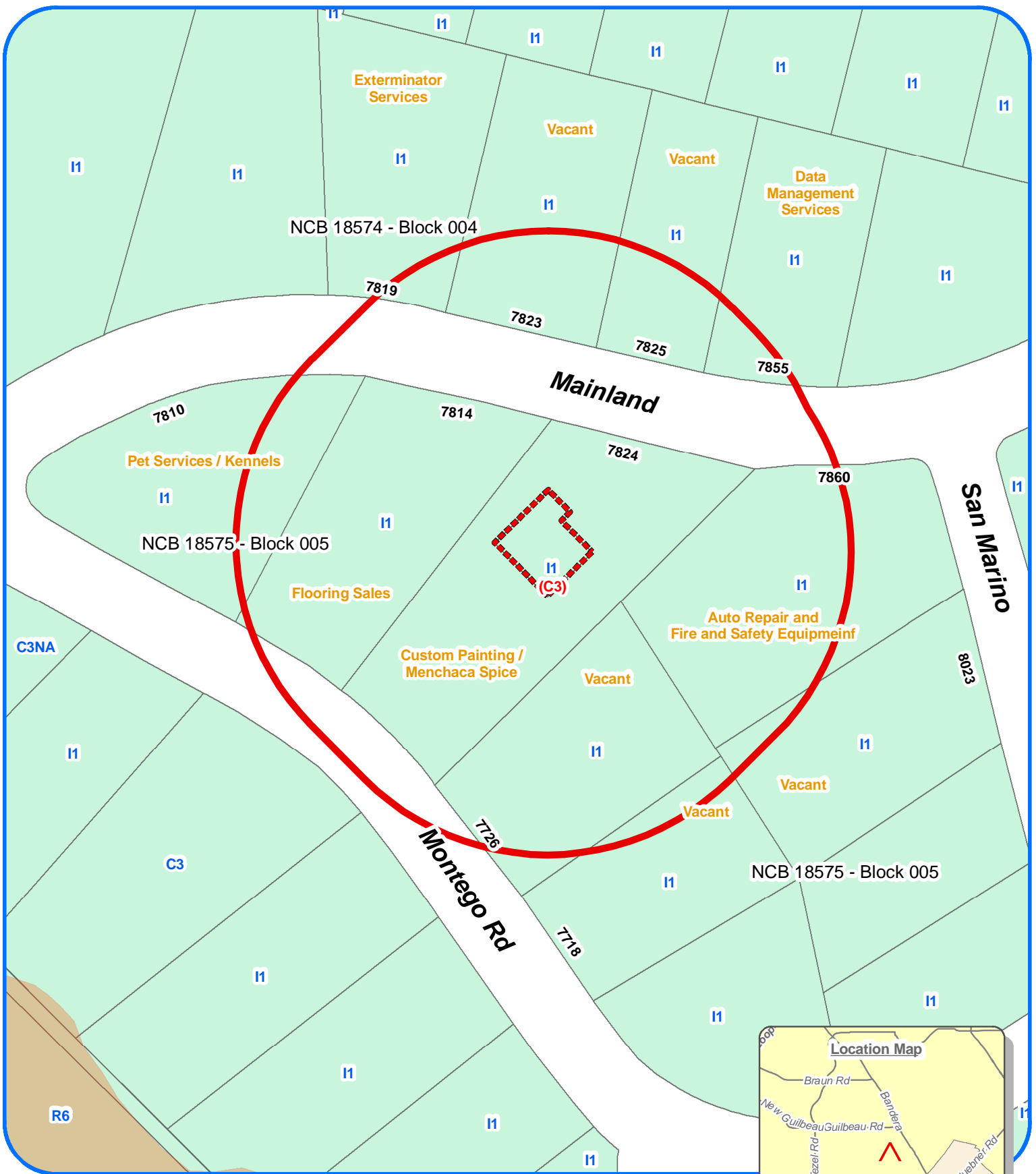
**Title:** Planner

**Date:** 06/25/09

**Manager Review:** Nina Nixon-Mendez

**Date:** 06/29/09

03/28/2008



## Zoning Case Notification Plan

### Case Z-2009-120

Council District 7

Scale: 1" approx. = 100 Feet

Subject Property Legal Description(s): NCB 18575 - Block 005 - Lot 003

#### Legend

- Subject Property (0.07 Acres)
- 200' Notification Buffer
- Current Zoning
- Requested Zoning Change
- 100-Year FEMA Floodplain

TEXT  
(TEXT)



Planning & Development Services Dept  
City of San Antonio  
(06/29/2009 - E Hart)

# CASE NO: Z2009120

## Final Staff Recommendation - Zoning Commission

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**Date:** July 21, 2009

**Council District:** 7

**Ferguson Map:** 579 D1

**Applicant Name:**

**Owner Name:**

Frost National Bank, Trustee for Legan Properties, Ltd.

Frost National Bank, Trustee for Legan Properties, Ltd.

**Zoning Request:** From "I-1" Light Industrial District to "C-3" General Commercial District.

**Property Location:** .07 of an acre out of Lot 3, Block 5, NCB 18575

7824 Mainland Drive

On the southwest side of Mainland Drive, west of San Marino

**Proposal:** To allow for commercial uses (Suite 104 and 105)

**Neigh. Assoc.** None

**Neigh. Plan** Northwest Community Plan

**TIA Statement:** A Traffic Impact Analysis (TIA) is not required

### Staff Recommendation:

Approval

The 0.07 of an acre site is located in northwest San Antonio, on the southwest side of Mainland Drive, west of San Marino. The subject property, which was annexed in December of 1987, is one of nine suites located within an existing multi-tenant commercial building. The commercial building on the subject property measures approximately 12,753 square feet and was constructed in 1986. The entire parcel was zoned Temporary "R-1" Single Family Residence District at annexation. In January of 1988, the parcel was part of a large area rezoning that was granted a zoning change from Temporary "R-1" Single Family Residence District to "I-1" Light Industry District. Upon adoption of the 2001 Unified Development Code, the existing "I-1" Light Industrial District zoning converted from the previous "I-1" Light Industry District. Surrounding zoning includes "I-1" Light Industrial District to the east, west, and southwest. In previous zoning cases in the immediate area, the Zoning Commission recommended approval of "C-3" zoning in March of 1993, February of 1997, July and August of 2006 and July of 2007.

The applicant has applied for "C-3" zoning in order to allow commercial uses. The subject property is located in an existing business park with offices, service centers, showrooms, warehouses and distribution centers. The "C-3" General Commercial District would not be out of character with the commercial and industrial uses in the general area. Therefore, the "C-3" General Commercial District is an appropriate rezoning from "I-1" General Industrial District at this location. The "C-3" General Commercial District would continue the orderly development and concentration of industrial and commercial uses.

The Northwest Community Plan designates this area as industrial. Industrial areas include mix of manufacturing, office park and limited service/retail uses that support industrial uses. The request conforms to the Northwest Community Land Use Plan.

**CASE MANAGER :** Pedro Vega 207-7980

# Neighborhood and Urban Design Division

## Zoning Case Review

**Zoning Case No.:** Z2009120

**Existing Zoning:** I-1

**Requested Zoning:** C-3

**Registered Neighborhood Association(s):** N/A

**Neighborhood/Community/Perimeter Plan:** Northwest Community Plan

**Future Land Use for the site:** Industrial

### Analysis:

The applicant is requesting a zoning change from I-1 to C-3 to allow for retail services of apparel, jewelry, artwork and collectables as well as classic sports vehicle upgrades and restoration. All of the uses the applicant is planning to do are allowed under the C-3 Regional Commercial land use classification.

The subject property is currently developed and occupied industrial building in an industrial park. The land uses around the subject property are industrial/warehousing/business oriented. The subject property is located on Mainland which is a local street on the Major Thoroughfare Plan. The applicant has provided a set of Field Notes describing that only two suits, total of 0.07 acre out of 0.84 acre, are subject to the zoning change.

The Northwest Community Plan designates this area as industrial. Industrial areas include mix of manufacturing, office park and limited service/retail uses that support trial uses. Industrial uses should be screened and buffered from adjacent uses and any outside storage must be screened from public view.

### Other Comments:

There are no residential uses in immediate surroundings and Mainland serves primarily to the industrial park of which the subject property is located.

☒ Request conforms to Land Use Plan

☐ Request does not conform to Land Use Plan

☐ Consistency not required because base zoning not changing.

### Staff Recommendation:

☒ Approval

☐ Denial

☐ Alternate Recommendation:

**Reviewer:** John Osten

**Title:** Senior Planner

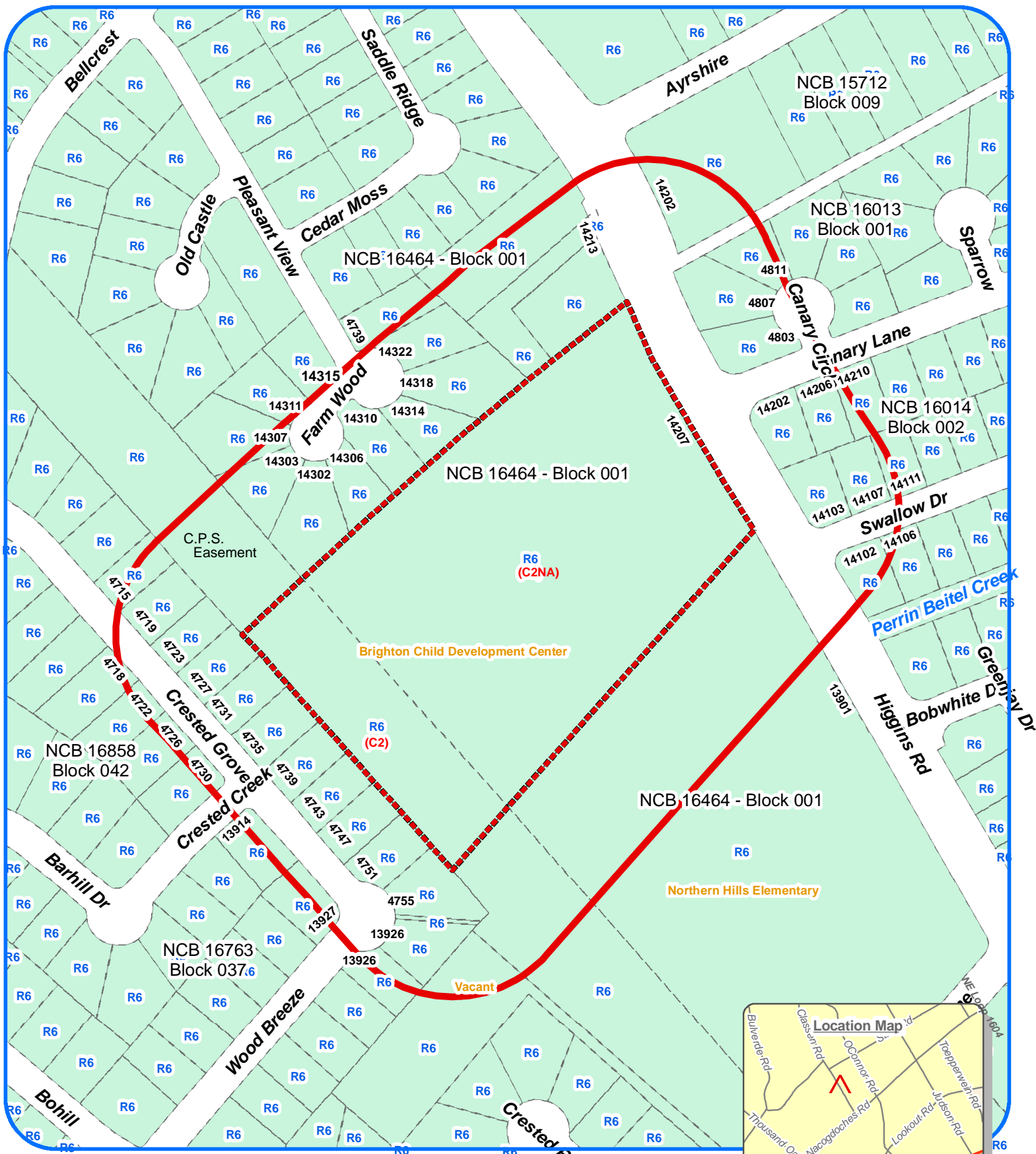
**Date:** 06/25/09

**Manager Review:** Nina Nixon-Mendez

**Date:** 06/29/09

03/28/2008





## Zoning Case Notification Plan

### Case Z-2009-121

Council District 10

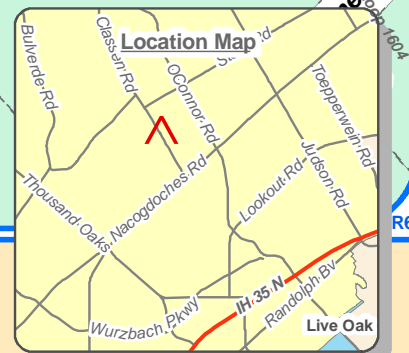
Scale: 1" approx. = 200 Feet

Subject Property Legal Description(s): NCB 16464 - Block 001 - Lot 042

#### Legend

- Subject Property (7.9260 Acres)
- 200' Notification Buffer
- Current Zoning
- Requested Zoning Change
- 100-Year FEMA Floodplain

TEXT  
(TEXT)



Planning & Development Services Dept  
City of San Antonio  
(06/29/2009 - E Hart)

# CASE NO: Z2009121

## Final Staff Recommendation - Zoning Commission

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**Date:** July 21, 2009

**Council District:** 10

**Ferguson Map:** 518 E8

**Applicant Name:**

**Owner Name:**

TSN Leasing, Inc. / DJL Ventures, Inc.

DJL Ventures, Inc.

**Zoning Request:** From "R-6" Residential Single Family District to "C-2NA" Commercial Nonalcoholic Sales District.

**Property Location:** Lot 42, Block 1, NCB 16464

14207 Higgins Road

On the southwest side Higgins Road, northwest of Uhr Lane

**Proposal:** To conform zoning with existing land use (Brighton School, Inc.)

**Neigh. Assoc.** Northern Hills Home Owners Association and El Chaparral/ Fertile Valley Neighborhood Association (within 200 feet)

**Neigh. Plan** None

**TIA Statement:** A Traffic Impact Analysis (TIA) is not required

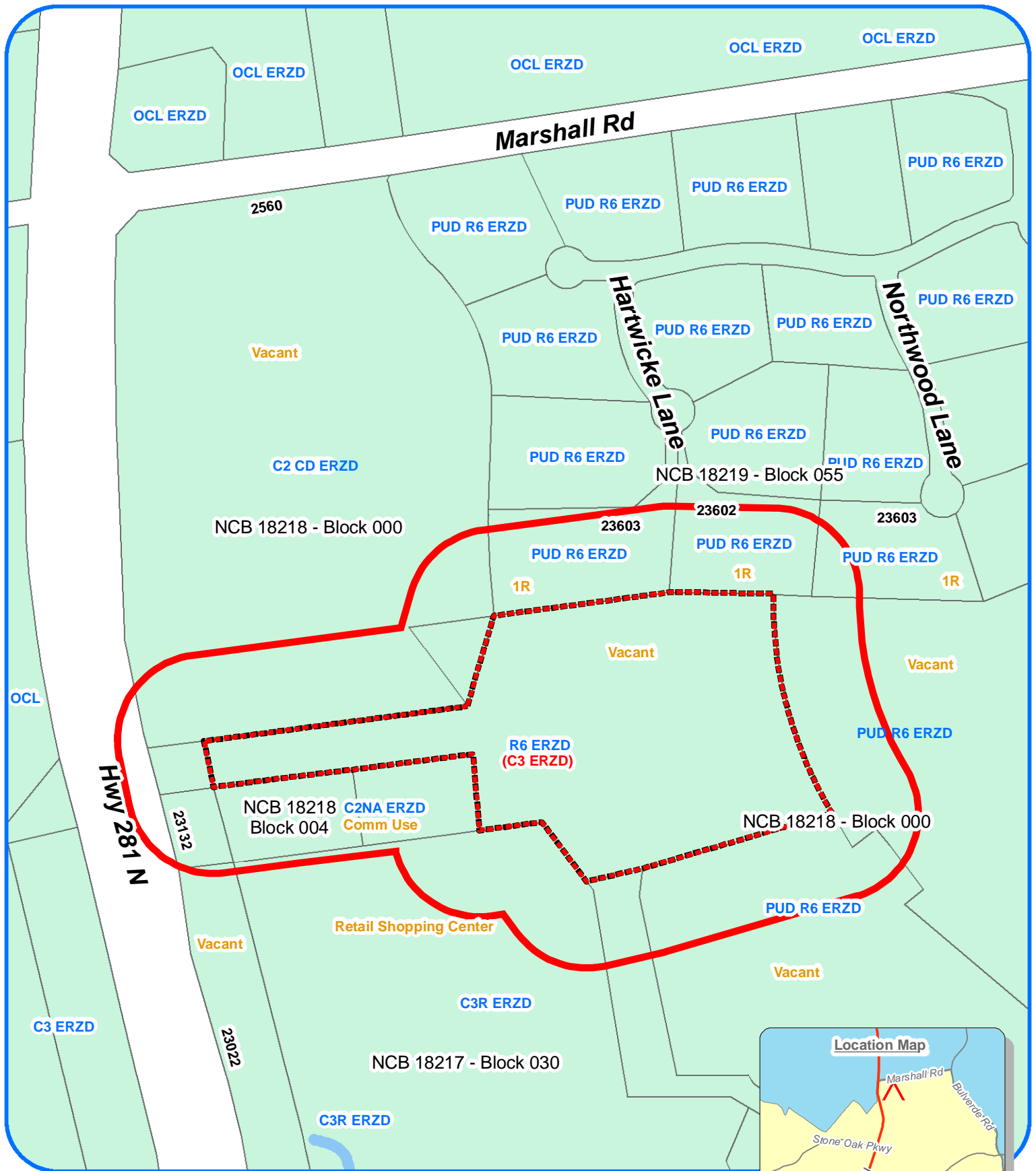
### Staff Recommendation:

Denial of "C-2NA" Commercial Nonalcoholic Sales District. The applicant has indicated the possibility of a revised request amending to a Specific Use Authorization. Staff will support "R-6 S" Residential Single Family District with a Specific Use Authorization for a Daycare Center, provided that the applicant submits all required documentation.

The 7.926 acre site is located in northeast San Antonio, on the southwest side Higgins Road, northwest of Uhr Lane. The site is currently occupied by Brighton School, Inc. and was annexed in December of 1986. The proposed site was zoned Temporary "R-1" Single Family Residence District at annexation. In December of 1972, the 7.615 acre site was part of a large area rezoning that was granted a zoning change from Temporary "R-1" Single Family Residence District to "R-1" Single Family Residence District. Upon adoption of the 2001 Unified Development Code, the existing "R-6" Residential Single Family District zoning converted from the previous "R-1" Single Family Residence District. Surrounding zoning includes "R-6" Residential Single Family District to the northwest, southwest, southeast and across Higgins Road to the northeast. Land uses immediately adjacent to the site consist of single-family dwellings and an elementary school.

Brighton School, Inc. is a non-profit organization that provides family and community education and development services to children with disabilities or delays. Since October 2004, Brighton School, Inc. has been leasing the facility and is currently pursuing the purchase of the facility. The site had previously been utilized as a church (Northern Hills United Methodist Church) for many years. The daycare center operated as part of the Northern Hills United Methodist Church, also located on the same property. A zoning change is required to allow Brighton School, Inc. to continue operating at this site.

Staff finds the requested zoning to be too intense for the property's location. "C-2" districts accommodate commercial and retail uses that generate a large volume of vehicular traffic and/or truck traffic. Such commercial uses should be confined to areas that will not adversely affect the quality of life in residential districts. Further, the requested "C-2NA" Commercial Nonalcoholic Sales District would not be compatible with the surrounding zoning districts and current uses along Higgins Road. A Specific Use Authorization is more



## Zoning Case Notification Plan

### Case Z-2008-064 ERZD

Council District 9

Scale: 1" approx. = 300'

Subject Property Legal Description(s): A Portion of Parcels P-25A and P-27 - NCB 18218 - Block 000

#### Legend

- Subject Property (10.6788 Acres)
- 200' Notification Buffer
- Current Zoning **R6**
- Requested Zoning Change **(R6)**
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept  
(12/20/2007)

# CASE NO: Z2009121

## Final Staff Recommendation - Zoning Commission

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appropriate for this location. In addition to the specific use, a 135 foot CPS easement across the rear of the property will serve as a buffer between the proposed zoning and single-family dwellings.

The purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but which may, under the right set of circumstances and conditions be acceptable in certain specific locations. These uses are permitted only through the issuance of a Specific Use Authorization by the City Council after ensuring that the use can be appropriately accommodated on the specific property, can be constructed and operated in a manner which is compatible with the surrounding land uses and overall character of the community, and that the public interest and general welfare of the neighborhood will be protected.

**CASE MANAGER :** Pedro Vega 207-7980

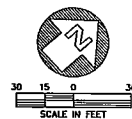
# LAND TITLE SURVEY

BEING Lot 42, Block 1, New City Block 16464, NORTHERN HILLS  
UNITED METHODIST CHURCH SUBDIVISION as recorded in Volume  
9524, Page 171, Deed & Plat Records of Bexar County, Texas,  
7.921 acres out of the James M. Watson Survey No. 322, Abstract  
No. 800, City of San Antonio, Bexar County, Texas.

**Lot 42**  
7.921 Acres

**JAMES M. WATSON**  
SURVEY No. 322  
ABSTRACT No. 800

North East 1SD  
10.49 Acres  
Lot 3, NORTHERN HILLS, Unit 8  
Block 1  
7600/239 DPR



I, Cynthia S. Diaz, the property owner, acknowledge that this site plan submitted for the purpose of rezoning this property is in accordance with all applicable provisions of the Unified Development Code. Additionally, I understand that City Council approval of a site plan in conjunction with a rezoning case does not relieve me from adherence to any/all City-adopted Codes at the time of plan submittal for building permits.

LEGEND	SURVEY NOTES	CERTIFICATION
<ul style="list-style-type: none"> <li>Found 1/2" rebar with plastic cap stamped "OVERBY-DESCAMPS"</li> <li>Found 1/2" rebar with no identification</li> <li>Set 1/2" rebar with plastic cap "LANDMARK SURVEYING"</li> <li>Calculated point</li> <li>Record Dimensions per Vol. 8524, Pg. 171, DPR</li> <li>DPR Deed &amp; Plat Records</li> <li>DPR Official Public Records</li> <li>DR Deed Records</li> <li>BSL Building Setback Line</li> <li>Public Utilities Easement</li> <li>Power Pole</li> <li>Water Meter</li> <li>Electric Box</li> <li>Electric Meter</li> <li>Telephone pedestal</li> <li>Cable pedestal</li> <li>Fire Hydrant</li> <li>Sanitary Sewer Manhole</li> <li>Wire Fence</li> <li>Chainlink Fence</li> <li>Wood Fence</li> <li>Overhead Utilities</li> </ul>	<p>(1) OWNER / STUS: D.A. Ventures, Inc (TSN Leasing, Inc) / 14207 Higgins Road</p> <p>(2) DATE OF SURVEY: July 3, 2009</p> <p>(3) BASIS OF BEARINGS: As shown herein this plat of survey.</p> <p>(4) REFERENCES:</p> <p>Vol. 8524, Pg. 171, DPR, Northern Hills United Methodist Church Subdivision Plat Vol. 10423, Pg. 1087, DPR, Warranty Deed</p> <p>(5) THE FEMA FIRM PANEL #40029-C-0281-F dated January 4, 2002, shows that the subject property is located in Zone "X", which is a special flood hazard area (SFHA).</p> <p>(6) THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY A SURVEYOR. Some information, regarding easements, building setbacks, and other restrictions that may affect the quality of this is the subject property was provided by First American Title Insurance Company of San Antonio, Texas, CF Number: 2000276, with an effective date of June 12, 2002.</p>	<p>I hereby certify this survey was made on the ground under my supervision and this plat correctly represents the facts found at the time of the survey. There are no visible easements or protrusions on the subject property or onto adjoining properties unless shown herein.</p> <p><i>Robert S. Rugloski</i> Robert S. Rugloski TEXAS RPLS #9002 DOB #1007011</p> <p>July 8, 2009 DATE</p> <p><b>LANDMARK SURVEYING</b> 300 TWY CANYON DRIVE BOERNE, TEXAS 78009 landmarksurveying@yahoo.com (817) 820-0284</p>

Ernest Krueger & Dorothy Dietzmann  
12829/2480 DPR

0.345 Acres 0.324 Acres

(N 51°08'48" E ~ 293.74')  
(N 51°12'06" E ~ 293.73')

(S 22°02'08" E ~ 11.86')  
(S 22°00'32" E ~ 11.85')

L=147.67' (147.82)  
R=998.37'  
Δ=8°28'29"  
CB=S26°15'02"E  
CH=147.54'

HIGGINS ROAD  
(86' ROW)

CANARY LANE  
(90' ROW)

Parking Lot  
contains 207  
spaces (6 ADA)

Square Footage of  
paved area  
65,000 sq ft

Storage Unit

Shed

Canopy

A/C Units

Canopy

A/C Units

Canopy

A/C Units

Canopy

A/C Units

Canopy

A/C Units

Canopy

A/C Units

Canopy

A/C Units

Canopy

A/C Units

Canopy

A/C Units

Canopy

A/C Units

**CITY OF SAN ANTONIO  
AVIATION DEPARTMENT  
ENVIRONMENTAL STEWARDSHIP DIVISION**

**Interdepartmental Correspondence Sheet**

**TO:** Leslie Zavala, Planning and Development Services Department  
**FROM:** Bill Telford  
**COPIES TO:** City of San Antonio Zoning Commission  
**SUBJECT:** Zoning Case **Z2009121**

**DATE:** July 15, 2009

The Aviation Department is in receipt of your request to review zoning case Z2009121.

The subject property is a +/- 7.9260 ac. tract of land located at 14207 Higgins Rd., San Antonio, Texas. The legal description of the site is Lot 42, Block 1, NCB 16464. The site is not within San Antonio International Airport's 65 dB noise contour. The site is within the five mile buffer of the airport.

The property is presently zoned "R-6" single family residential use. However the property is, and has been since 2004, operated as a private school. The proposed request is to rezone the subject property "C-2" commercial use with the major use being the school.

Since the property is outside of the 65dB contour its use as a school should not be considered incompatible based on the noise levels generated by air traffic out of the San Antonio International Airport. However in consideration of general land use compatibility the site could incur some noise impact from air traffic but having been built after Oct 1998 and being located outside of the 65 dB contour of International Airport the school is not eligible for grant funded acoustical treatment remediation.

The site is close enough to the flight path of runway 321 that consideration might be given to potential for impact from crashes, vibration and to some degree noise.

The proposed zoning change, if granted by the City Council, is subject to all applicable restrictions of the airport zoning ordinances. The maximum height of any proposed structure or building within this area will be limited in height in accordance with the provisions of the ordinances.

If there are any questions, feel free to call me at 207-3471.



Bill Telford, AICP  
Noise Mitigation/Air Quality Officer  
Environmental Stewardship Division  
San Antonio Aviation Department

CC: Ryan Rocha, Dan Gallagher, Raymond Perales